

2021 Bill 81

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Second Session, 30th Legislature, 70 Elizabeth II

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THE LEGISLATIVE ASSEMBLY OF ALBERTA

# BILL 81

## ELECTION STATUTES AMENDMENT ACT, 2021 (NO. 2)

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THE MINISTER OF JUSTICE AND SOLICITOR GENERAL

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First Reading . . . . .

Second Reading . . . . .

Committee of the Whole . . . . .

Third Reading . . . . .

Royal Assent . . . . .

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*Bill 81*

## **BILL 81**

2021

### **ELECTION STATUTES AMENDMENT ACT, 2021 (NO. 2)**

*(Assented to , 2021)*

HER MAJESTY, by and with the advice and consent of the  
Legislative Assembly of Alberta, enacts as follows:

#### **Alberta Personal Income Tax Act**

**Amends RSA 2000 cA-30**

**1(1) The *Alberta Personal Income Tax Act* is amended by this section.**

**(2) Section 24 is amended**

- (a) by repealing subsection (1)(b.2);**
- (b) in subsections (2.1) and (3) by striking out “registered leadership contestant or registered nomination contestant” and substituting “registered leadership contestant”.**

## Explanatory Notes

### Alberta Personal Income Tax Act

**1(1)** Amends chapter A-30 of the Revised Statutes of Alberta 2000.

**(2)** Section 24 presently reads in part:

*24(1) In this section,*

*(b.2) “registered nomination contestant” means a person who is a registered nomination contestant under the Election Finances and Contributions Disclosure Act;*

*(2.1) In respect of the aggregate amount of contributions under the Election Finances and Contributions Disclosure Act contributed on or after January 1, 2004 by an individual, other than a trust, during a taxation year to a registered party, registered constituency association, registered candidate, registered leadership contestant or registered nomination contestant, that individual may deduct the lesser of the amount of tax payable and an amount equal to*

*(a) 75% of the amount contributed if the aggregate amount of contributions by the individual does not exceed \$200,*

**(3) This section comes into force on Proclamation.**

### **Alberta Senate Election Act**

**Amends SA 2019 cA-33.5**

**2(1) The *Alberta Senate Election Act* is amended by this section.**

**(2) Section 1(1) is amended by adding the following after clause (g):**

- (h) “supervisor of a voting place” means the supervisor of a voting place as referred to in section 45.1(8) of the *Election Act*.

**(3) Section 2 is amended**

**(a) by repealing clauses (a) and (b) and substituting the following:**

- (a) “deputy” means deputy as defined in the *Local Authorities Election Act*;
- (b) “election day” means election day as defined in the *Election Act* or election day as defined in the *Local Authorities Election Act*, as the case may be;

- (b) *\$150 plus 50% of the amount contributed in excess of \$200 if the aggregate amount of contributions by the individual exceeds \$200 but does not exceed \$1100, or*
- (c) *if the aggregate amount of contributions by the individual exceeds \$1100, the lesser of*
  - (i) *\$1000, and*
  - (ii) *\$600 plus 33 1/3% of the amount contributed in excess of \$1100.*
- (3) *Payment of each amount that is included in the aggregate amount of contributions in respect of which a deduction is claimed under subsection (2.1) must be proved by filing with the Provincial Minister receipts signed on behalf of the registered party, registered constituency association, registered candidate, registered leadership contestant or registered nomination contestant, as the case may be.*
- (3) Coming into force.

## **Alberta Senate Election Act**

- 2(1)** Amends chapter A-33.5 of the Statutes of Alberta, 2019.
- (2) Section 1(1) presently reads in part:
  - 1(1) In this Act,*
    - (g) *“Senate nominee” means a person declared elected under this Act.*
- (3) Section 2 presently reads:
  - 2 In this Part and in the provisions of the Election Act referred to in section 4 that apply for the purposes of this Part, unless the context provides otherwise,*
    - (a) *“deputy returning officer” means a deputy returning officer under the Election Act or a deputy under the Local Authorities Election Act, as the case may be;*

**(b) by repealing clause (c);**

**(c) by adding the following after clause (d):**

- (e) “voting place” means voting place as defined in the *Election Act* or voting station as defined in the *Local Authorities Election Act*, as the case may be.

**(4) Section 5(3) is amended**

**(a) in clause (a) by striking out “February 1” and substituting “April 1”;**

**(b) in clause (d) by striking out “polling day” and substituting “election day”.**

**(5) Section 7(f) is amended by striking out “polling day” and substituting “election day”.**

**(6) Section 8(1) is amended by striking out “59(1.01)(a) or (b)” and substituting “59(1.01)(b)”.**

- (b) *“polling day” means polling day as defined in the Election Act or election day as defined in the Local Authorities Election Act, as the case may be;*
- (c) *“polling place” means a polling place as defined in the Election Act or a voting station as defined in the Local Authorities Election Act, as the case may be;*
- (d) *“returning officer” means a returning officer under the Election Act or a returning officer or a substitute returning officer under the Local Authorities Election Act, as the case may be.*

(4) Section 5(3) presently reads in part:

- (3) *Where an election under this Act is to be held in conjunction with a general election under the Election Act,*
  - (a) *in the case of a general election held in accordance with section 38.1(2) of the Election Act, the order under subsection (1) shall be made at any time during the period commencing February 1 in the year in which the general election is held and ending on the day the writs are issued for the general election,*
  - (d) *polling day, if voting is necessary, shall be the same day as the day on which voting is to take place for the general election under the Election Act.*

(5) Section 7(f) presently reads:

- 7 *A person is eligible to be nominated as a candidate in an election under this Act if*
  - (f) *the person has been ordinarily resident in Alberta continuously from the day 6 months immediately preceding polling day.*

(6) Section 8(1) presently reads:

- 8(1) *At any time during the period referred to in section 59(1.01)(a) or (b) of the Election Act, as the case may be, any 500 or more electors may nominate a person eligible to be a candidate as a candidate by signing a nomination paper in the prescribed form and filing it with the Chief Electoral Officer.*

**(7) Section 11 is amended**

- (a) by repealing subsection (1);**
- (b) in subsection (3) by striking out “polling places on polling day” and substituting “voting places on election day”.**

**(8) Section 15 is amended**

- (a) in subsection (1) by striking out “the polls on polling day” and substituting “voting on election day”;**

- (b) in subsection (3)**

- (i) by striking out “If” and substituting “In the case of an election held in conjunction with a general election under the *Election Act* or separately on a date provided for in an order under section 5, if”;**

- (ii) by striking out the portion following clause (b) and substituting the following:**

the Chief Electoral Officer shall advise each returning officer personally or by email or telephone of the withdrawal and, if there is sufficient time, the returning officer shall prepare a notice of withdrawal and distribute a copy to each supervisor of a voting place, who shall post it in a conspicuous location in the voting place.

- (c) by adding the following after subsection (3):**

**(3.1)** In the case of an election held in conjunction with the general elections under the *Local Authorities Election Act*, if

- (a) a candidate withdraws after the ballots are printed, and**



(7) Section 11 presently reads in part:

*11(1) The Chief Electoral Officer shall not accept a deposit tendered under section 10(1)(g) unless it consists of*

- (a) Bank of Canada notes,*
- (b) a certified cheque,*
- (c) a bank or postal money order, or*
- (d) a combination of any of those forms.*

*(3) If a candidate dies after being nominated and prior to the closing of the polling places on polling day, the deposit must be refunded to the candidate's chief financial officer.*

(8) Section 15 presently reads in part:

*15(1) At any time after the filing of a candidate's nomination paper but not later than 96 hours before the opening of the polls on polling day, the candidate may withdraw by filing with the Chief Electoral Officer a declaration to that effect signed by the candidate and having the candidate's signature witnessed.*

*(3) If*

- (a) a candidate withdraws after the ballots are printed, and*
- (b) there remain more candidates than the number of persons to be elected,*

*the Chief Electoral Officer shall advise each returning officer of the withdrawal and, if there is sufficient time, the returning officer shall prepare a notice of withdrawal and distribute a copy to each deputy returning officer, who shall post it in a conspicuous location in the deputy returning officer's polling place.*

*(4) When there is insufficient time to prepare and distribute a notice of withdrawal under subsection (3), the Chief Electoral Officer, when advising the returning officers of the withdrawal, shall instruct each of them to cause a notice of the withdrawal to be prepared by hand, and each deputy returning officer shall post the notice in a conspicuous location in the deputy returning officer's polling place.*

- (b) there remain more candidates than the number of persons to be elected,

the Chief Electoral Officer shall advise each returning officer personally or by email or telephone of the withdrawal and, if there is sufficient time, the returning officer shall prepare a notice of withdrawal and distribute a copy to each deputy, who shall post it in a conspicuous location in the deputy's voting place.

**(d) by repealing subsection (4) and substituting the following:**

**(4)** When, in acting under subsection (3) or (3.1), there is insufficient time to prepare and distribute a notice of withdrawal, the returning officer, when advising each supervisor of a voting place or deputy of the withdrawal, as the case may be, shall instruct each of those supervisors or deputies to cause a notice of withdrawal to be prepared by hand, and each of those supervisors or deputies shall post the notice in a conspicuous location in the voting place.

**(9) Section 16 is amended**

- (a) in subsection (1) by striking out “the polls” and substituting “voting”;**
- (b) in subsection (2)**
  - (i) by striking out “If” and substituting “In the case of an election held in conjunction with a general election under the *Election Act* or separately on a date provided for in an order under section 5, if”;**
  - (ii) by adding “personally or by email or telephone” after “each returning officer”;**
  - (iii) by striking out “deputy returning officer” and substituting “supervisor of a voting place”;**
  - (iv) by striking out “deputy returning officer’s polling place” and substituting “voting place”;**
- (c) by adding the following after subsection (2):**

(9) Section 16 presently reads:

*16(1) If at any time after the filing of a candidate's nomination paper and prior to the closing of the polls a candidate dies and the number of candidates equals or is less than the number of persons to be elected, the Chief Electoral Officer shall*

- (a) immediately declare the candidate or candidates elected, and*
- (b) make the Chief Electoral Officer's return in the prescribed form certifying the election of the candidate or candidates.*

*(2) If*

- (a) a candidate dies after the ballots are printed, and*
- (b) there remain more candidates than the number of persons to be elected,*

*the Chief Electoral Officer shall advise each returning officer of the death and, if there is sufficient time, the returning officer shall prepare a notice of the death and distribute a copy to each deputy returning officer, who shall post it in a conspicuous location in the deputy returning officer's polling place.*

**(2.1)** In the case of an election held in conjunction with the general elections under the *Local Authorities Election Act*, if

- (a) a candidate dies after the ballots are printed, and
- (b) there remain more candidates than the number of persons to be elected,

the Chief Electoral Officer shall advise each returning officer personally or by email or telephone of the death and, if there is sufficient time, the returning officer shall prepare a notice of the death and distribute a copy to each deputy, who shall post it in a conspicuous location in the voting place.

**(d) by repealing subsection (3) and substituting the following:**

**(3)** When there is insufficient time to prepare and distribute a notice of death under subsection (2) or (2.1), the Chief Electoral Officer, when advising the returning officers of the death, shall instruct each of them to cause a notice of the death to be prepared by hand, and each supervisor of a voting place or deputy, as the case may be, shall post the notice in a conspicuous location in the voting place.

**(10) Section 17(1)(d) is amended by striking out “polling date” and substituting “date of the election”.**

**(11) Section 19(4) is repealed and the following is substituted:**

- (4)** Each returning officer shall maintain a record of the quantity of ballots provided
- (a) to the supervisor of each voting place in the case of an election held in conjunction with a general election under the *Election Act* or separately on a date provided for in an order under section 5, or

*(3) When there is insufficient time to prepare and distribute a notice of death under subsection (2), the Chief Electoral Officer, when advising the returning officers of the death, shall instruct each of them to cause a notice of the death to be prepared by hand, and each deputy returning officer shall post the notice in a conspicuous location in the deputy returning officer's polling place.*

(10) Section 17(1)(d) presently reads:

*17(1) At 2 p.m. on the date appointed as nomination day the Chief Electoral Officer shall, at the place fixed for the filing of nominations,*

*(d) announce the polling date and the date and time at which the official results of the election will be announced.*

(11) Section 19(4) presently reads:

*(4) Each returning officer shall maintain a record of the quantity of ballots provided to the deputy returning officers.*

- (b) to the deputies in the case of an election held in conjunction with the general elections under the *Local Authorities Election Act*.

**(12) Section 29 is amended**

- (a) in subsection (1) by striking out “137(1) to (4) and (7)” and substituting “137(1) to (4)”;
- (b) in subsection (2)(a) by striking out “111(5)(a)” and substituting “111(5.2)(a)”.

**(13) Section 32 is amended**

- (a) in subsection (1)
  - (i) in clause (b) by striking out “voting at an advance poll” and substituting “advance voting”;
  - (ii) in clause (c) by striking out “polling day and the hours at which the polling places will open and close” and substituting “the election and voting hours”;
  - (iii) in clause (d) by striking out “polling day” and substituting “election day”;
- (b) in subsection (2)
  - (i) in clause (b) by striking out “polling subdivisions” and substituting “voting areas”;
  - (ii) in clause (c) by striking out “polling places” and substituting “voting places”;
  - (iii) in clause (d) by striking out “advance polling places” and substituting “voting places”.

(12) Section 29 presently reads:

*29(1) Except as provided in this Part and the regulations, sections 4.1, 4.11, 4.12, 19.1 and 20, Part 3 and sections 133, 134, 136, 137(1) to (4) and (7), 140 to 143, 151 and 152 of the Election Act apply to an election under this Act held in conjunction with a general election under the Election Act or held separately on a date fixed in an order under section 5 as if it were a general election under the Election Act.*

*(2) For the purposes of this Part,*

- (a) sections 39, 40, 55, 56, 59 to 67, 82, 83, 101, 111(5)(a) and 126 to 131 of the Election Act do not apply, and*
- (b) sections 134.1 and 134.2 of the Election Act do not apply unless the election under this Act is held in conjunction with a general election under the Election Act.*

(13) Section 32 presently reads in part:

*32(1) The Chief Electoral Officer shall, as soon as possible following the making of the order referred to in section 5, publish a proclamation in the prescribed form in respect of each electoral division containing the following:*

- (b) the place, dates and hours fixed for voting at an advance poll if voting is necessary;*
- (c) the date of polling day and the hours at which the polling places will open and close if voting is necessary;*
- (d) the place, date and time for announcing the results of the official tabulation, that date being the 10th day after polling day;*

*(2) A returning officer shall post a copy of the following in the returning officer's office:*

- (b) a map of the electoral division, including the numbered polling subdivisions;*

**(14) Section 33 is amended**

**(a) in subsection (1)**

- (i) by striking out** “The deputy returning officer” **and substituting** “An election officer assigned to administer voting”;
- (ii) in clause (a) by striking out** “polling booths” **and substituting** “voting booths”;
- (iii) in clause (c) by striking out** “the deputy returning officer” **and substituting** “an election officer assigned to assist electors in depositing their ballots in ballot boxes”;

**(b) in subsection (3)**

- (i) by striking out** “The deputy returning officer” **and substituting** “The election officer”;
  - (ii) by striking out** “the same ballot the deputy returning officer provided to the voter,” **and substituting** “a ballot issued by an election officer assigned to administer voting”;
- (c) in subsection (4) by striking out** “deputy returning officer” **and substituting** “election officer”.

**(15) Section 34 is repealed and the following is substituted:**

**Exception to section 111(5) and (5.1) of Election Act**

**34** Notwithstanding section 111(5) and (5.1) of the *Election Act*, for the purposes of this Part, the election officer responsible for the count shall reject and place in a rejected ballot envelope any ballot that contains votes for more candidates than the number of persons to be elected.



- (c) *a list of the locations of polling places;*
- (d) *a statement of the availability of barrier-free accessibility to the office of the returning officer and to the advance polling places.*

(14) Section 33 presently reads in part:

*33(1) The deputy returning officer shall, without inquiring or ascertaining for whom a voter intends to vote, instruct the voter to*

- (a) *proceed to one of the polling booths and there, with the marker provided, mark the voter's ballot by placing an "X" in the space opposite the name of the candidate or candidates of the voter's choice,*

- (c) *hand the folded ballot to the deputy returning officer.*

*(3) The deputy returning officer shall, without unfolding the ballot and in full view of the voter and all present, ascertain by examining the initials that the ballot is the same ballot the deputy returning officer provided to the voter, and return the ballot to the voter so that the voter may place the ballot in the ballot box.*

*(4) Notwithstanding subsection (3), on being requested by the voter, the deputy returning officer shall place the ballot in the ballot box.*

(15) Section 34 presently reads:

*34 Notwithstanding section 111(5)(d) of the Election Act, for the purposes of this Part, the deputy returning officer shall reject and place in a rejected ballot envelope any ballot that contains votes for more candidates than the number of persons to be elected.*

**(16) Section 35 is repealed and the following is substituted:**

**Exception to section 118(1.1) of Election Act**

**35** Notwithstanding section 118(1.1) of the *Election Act*, for the purposes of this Part, a voter may mark only the name of the candidate or candidates, as the case may be.

**(17) Section 45 is amended by striking out “returning officer”.**

**(18) Section 48(2) is amended by striking out “deputy returning officers” and substituting “deputies”.**

**(19) This section comes into force on Proclamation.**

**Citizen Initiative Act**

**Amends SA 2021 cC-13.2**

**3(1) The *Citizen Initiative Act* is amended by this section.**

**(2) Section 1(1)(m) is amended by striking out “post-polling-day list” wherever it occurs and substituting “post-election-day list”.**

**(3) Section 2(8)(b) is amended by adding “the Election Commissioner,” after “Chief Electoral Officer,”.**

**(4) Section 3(5) is amended**

**(a) in clause (a) by striking out “post-polling-day list” and substituting “post-election-day list”;**

(16) Section 35 presently reads:

*35 Notwithstanding section 118(1) of the Election Act, for the purposes of this Part, a voter may mark only the name of the candidate or candidates, as the case may be.*

(17) Section 45 presently reads:

*45 Notwithstanding section 45 of the Local Authorities Election Act, for the purposes of this Part, the deputy returning officer shall post a copy of the bulletin referred to in section 90(1) of the Election Act.*

(18) Section 48(2) presently reads:

*(2) Each returning officer shall add together the ballot accounts as prepared by the deputy returning officers.*

(19) Coming into force.

### **Citizen Initiative Act**

**3(1)** Amends chapter C-13.2 of the Statutes of Alberta, 2021.

(2) Section 1(1)(m) presently reads:

*1(1) In this Act,*

*(m) “post-polling-day list of electors” means the post-polling-day list of electors referred to in section 19 of the Election Act;*

(3) Section 2(8)(b) presently reads:

*(8) The following are disqualified from submitting an application:*

*(b) the Chief Electoral Officer, an election officer or an individual who is otherwise a member of the Chief Electoral Officer’s office staff;*

(4) Section 3(5) presently reads in part:

*(5) In addition to the information referred to in subsection (3)(b), the Chief Electoral Officer may, as the Chief Electoral Officer*

**(b) in clause (c)(i) and (ii) by striking out “post-polling-day list” and substituting “post-election-day list”.**

**(5) Section 7(2)(b) and (3) are amended by striking out “polling day” and substituting “election day”.**

**(6) Section 11(1)(a) is amended by striking out “a notice referred to in section 9(7)” and substituting “a notice referred to in section 9(3) or (4)(b)”.**

*considers appropriate, publish the following on the Chief Electoral Officer's website:*

- (a) the total number of electors in the Province on the post-polling-day list of electors for the previous general election;*
- (c) in the case of a constitutional referendum proposal,*
  - (i) the total number of electoral divisions as of the most recent post-polling-day list of electors,*
  - (ii) the total numbers of electors in each electoral division on the most recent post-polling-day list of electors,*

(5) Section 7 presently reads in part:

- (2) In order to continue the initiative petition, the proponent shall*
  - (b) as soon as practicable and not later than 30 days after polling day, notify the Chief Electoral Officer in the form and manner determined by the Chief Electoral Officer that the proponent seeks to continue the initiative petition.*
- (3) If satisfied that the proponent has met the requirements to continue the initiative, the Chief Electoral Officer shall, as soon as practicable, and not later than 60 days after polling day, continue the petition by*
  - (a) publishing on the Chief Electoral Officer's website*
    - (i) a notice that the petition has been continued, and*
    - (ii) the dates of the extended initiative petition signing period,*
  - and*
  - (b) issuing new signature sheets that are marked as being provided under this section.*

(6) Section 11(1) presently reads in part:

- 11(1) The Chief Electoral Officer shall publish a notice on the Chief Electoral Officer's website indicating that the petition was unsuccessful*
- (a) if the Chief Electoral Officer publishes a notice referred to in section 9(7), or*

**(7) Section 18(4) is repealed.**

**(8) The following is added after section 18:**

**Initiative vote regulations**

**18.1** The Lieutenant Governor in Council may make regulations for the purposes of this Part

- (a) governing plebiscites, general elections, mail-in balloting and special balloting for the purposes of an initiative vote;
- (b) generally respecting any other matters and things relating to the holding and conduct of an initiative vote that the Lieutenant Governor in Council considers appropriate.

**(9) Section 24(1) is amended**

- (a) in clause (c) by striking out “or” at the end of subclause (iv), by adding “or” at the end of subclause (v) and by adding the following after subclause (v):
  - (vi) communication by a person or entity listed in clause (g).
- (b) in clause (g)(vii) by striking out “registered”.

(7) Section 18 presently reads in part:

*(4) Without limiting subsection (2), the provisions of the Election Act governing plebiscites, general elections and mail-in balloting apply with all necessary modifications to an initiative vote, and the order under subsection (2) may adapt any provisions of the Election Act or the Election Finances and Contributions Disclosure Act as the Lieutenant Governor in Council considers appropriate for the purposes of the initiative vote.*

(8) Initiative vote regulations.

(9) Section 24(1) presently reads in part:

*24(1) In this Part,*

*(c) “initiative advertising” means, subject to subsection (3), the transmission to the public by any means during an initiative petition period of advertising that promotes or opposes an initiative petition, the legislation, policy or constitutional question proposed by the initiative petition or the subject-matter of the legislation, policy or constitutional question, and for greater certainty does not include*

*(v) communication by the Government in any form;*

*(g) “third party” means an individual, corporation, organization or group, but does not include the following:*

*(vii) a registered nomination contestant;*

**(10) Section 43(2) is amended by striking out “polling day” and substituting “election day”.**

**(11) Section 48 is amended**

**(a) by adding the following after subsection (1):**

**(1.1)** Except as provided in subsection (2), the Election Commissioner, any former Election Commissioner and every individual who is or was employed or engaged by Elections Alberta to carry out the duties of the Election Commissioner shall maintain the confidentiality of all information, complaints and allegations that come to their knowledge.

**(b) in subsection (2) by adding the following after clause (a):**

(a.1) by the Chief Electoral Officer to the Election Commissioner, or by the Election Commissioner to the Chief Electoral Officer, for the purpose of carrying out powers, duties and functions under this Act,

**(12) Section 66(1) is amended by striking out “If” and substituting “After completing an investigation, if”.**



(10) Section 43(2) presently reads:

*(2) Funds remaining in the initiative advertising account after the polling day established for the purposes of an initiative vote, or following the earlier withdrawal, conclusion or termination of an initiative petition or an initiative vote, shall, subject to the regulations, be dealt with in one or more of the following ways:*

- (a) by donating the funds to a registered charity;*
- (b) by returning the funds to the contributor if the contributor can be identified;*
- (c) if the funds or any portion of the funds cannot be dealt with in accordance with clauses (a) and (b), by paying the funds, or that portion of the funds, as the case may be, to the Chief Electoral Officer.*

(11) Section 48 presently reads in part:

*48(1) Except as provided in subsection (2), the Chief Electoral Officer, any former Chief Electoral Officer and every individual who is or was employed or engaged by the Office of the Chief Electoral Officer to carry out the duties of the Chief Electoral Officer shall maintain the confidentiality of all information, complaints and allegations that come to their knowledge.*

*(2) Information, complaints and allegations to which subsection (1) applies may be disclosed*

- (a) by the Chief Electoral Officer to a delegate referred to in section 52 for the purpose of carrying out delegated powers, duties and functions under this Act,*

(12) Section 66(1) presently reads:

*66(1) If the Election Commissioner is of the opinion that a person has contravened a provision of this Act or a provision that is specified for the purposes of this section in the regulations, the Election Commissioner may, in accordance with the regulations, by notice in writing given to that person, require that person to pay an administrative penalty in the amount set out in the notice for each contravention.*

**(13) Section 70 is amended by striking out “Chief Electoral Officer” and substituting “Election Commissioner”.**

## **Election Act**

**Amends RSA 2000 cE-1**

**4(1) The *Election Act* is amended by this section.**

**(2) Section 1 is amended**

**(a) in subsection (1)**

**(i) by repealing clause (a) and substituting the following:**

(a) “advance voting” means voting under section 98;

(a.1) “advance voting place” means a place where one or more voting stations are provided for the purpose of advance voting;

**(ii) in clause (b.1)**

**(A) by repealing subclause (i);**

**(B) in subclause (ii)**

**(I) by striking out “held other than in accordance with section 38.1(2)”;**

**(II) by striking out “polling day” and substituting “election day”;**

**(C) by repealing subclause (iii);**

**(D) in subclause (iii.1)**

**(I) by striking out “held other than in accordance with section 38.1(2)”;**

**(II) by striking out “polling day” and substituting “election day”;**

(13) Section 70 presently reads:

*70 No prosecution shall be instituted under this Act without the consent of the Chief Electoral Officer.*

### **Election Act**

**4(1)** Amends chapter E-1 of the Revised Statutes of Alberta 2000.

(2) Section 1 presently reads in part:

*1(1) In this Act,*

*(a) “advance poll” means a poll taken in advance of polling day;*

*(b.1) “campaign period” means*

*(i) in the case of a general election held in accordance with section 38.1(2), the period commencing on February 1 in the year in which the election is held and ending 2 months after polling day,*

*(ii) in the case of a general election held other than in accordance with section 38.1(2), the period commencing with the issue of a writ for the election and ending 2 months after polling day,*

*(iii) in the case of an election under the Alberta Senate Election Act held in conjunction with a general election held in accordance with section 38.1(2), the period commencing on February 1 in the year in which the election is held and ending 2 months after polling day,*

*(iii.1) in the case of an election under the Alberta Senate Election Act held in conjunction with a general election held other than in accordance with section 38.1(2), the period commencing with the issue of a writ for the election and ending 2 months after polling day,*

*(iii.2) in the case of an election under the Alberta Senate Election Act held separately on a date provided for in an order under section 5(1) of that Act, the period commencing on the date that the order under section 5(1) of that Act is passed and ending 2 months after polling day, and*

- (E) in subclauses (iii.2) and (iv) by striking out “polling day” and substituting “election day”;**
- (iii) by adding the following after clause (f):**
- (f.1) “council” means “council of the band” as defined in the *Indian Act* (Canada);
- (iv) by adding the following after clause (h.1):**
- (h.2) “election day” means the day set for voting during an election;
- (v) by repealing clause (i) and substituting the following:**
- (i) “election officer” means a returning officer appointed under section 9, an election clerk appointed under section 47, a person appointed under section 45.1 or any other person appointed under section 4(3)(c);
- (vi) in clause (j)(i) by striking out “polling day” and substituting “election day”;**
- (vii) in clause (m) by striking out “section 23” and substituting “section 22”;**
- (viii) by adding the following after clause (n):**
- (n.1) “Indian band” means band as defined in the *Indian Act* (Canada);
- (ix) by repealing clause (s) and substituting the following:**
- (s) “mobile vote” means a vote conducted pursuant to section 120;
- (s.1) “mobile voting” means voting under section 120;
- (s.2) “mobile voting place” means a place where one or more voting stations are provided for the purpose of mobile voting;
- (x) by repealing clauses (v), (w), (x), (y) and (z);**

- (iv) *in the case of a by-election, the period commencing with the issue of a writ for the by-election and ending 2 months after polling day;*
- (f) *“corrupt practice” means any act or omission that is a corrupt practice under this Act;*
- (h.1) *“Election Commissioner” means the Election Commissioner appointed pursuant to the Public Service Act;*
- (i) *“election officer” means a returning officer, election clerk, administrative assistant, supervisory deputy returning officer, registration officer, deputy returning officer, poll clerk, information officer or any other person appointed under section 4(3)(c);*
- (j) *“elector” means a person who on*
  - (i) *polling day, in the case of an election, or*
- (m) *“enumerator” means a person appointed under section 23;*
- (n) *“general election” means an election where election writs are issued for elections in all electoral divisions;*
- (s) *“mobile poll” means a polling station established under section 120;*
- (v) *“poll book” means a poll book referred to in section 100(1);*
- (w) *“polling day” means the day fixed for voting at an election;*
- (x) *“polling place” means a place where one or more polling stations are provided for the purpose of voting at an election;*
- (y) *“polling station” means a place where an elector casts the elector’s vote;*
- (z) *“polling subdivision” means a polling subdivision referred to in section 14(b);*
- (ff) *“scrutineer” means an elector who is authorized to represent a candidate at a polling station;*
- (hh.1) *“special mobile poll” means a special mobile poll established under section 125.1;*

**(xi) by repealing clause (z.1) and substituting the following:**

(z.1) “record” means a record of information in any form and includes notes, images, audiovisual recordings, x-rays, books, documents, maps, drawings, photographs, letters, vouchers and papers and any other information that is written, photographed, recorded or stored in any manner, but does not include software or any mechanism that produces records;

**(xii) in clause (cc.1) by striking out “111(5)” and substituting “111(5.2)”;**

**(xiii) in clause (ff) by striking out “polling station” and substituting “voting place”;**

**(xiv) by adding the following after clause (ff):**

(ff.1) “settlement administrator” means settlement administrator as defined in the *Metis Settlements Act*;

(ff.2) “settlement council” means the settlement council as defined in the *Metis Settlements Act*;

**(xv) by repealing clause (hh.1);**

**(xvi) by adding the following after clause (jj):**

(jj.1) “Statement of Vote” means the record of the count completed under section 111 that includes the number of votes cast and the number of unused ballots, declined ballots, spoiled ballots, valid ballots and rejected ballots in the format prescribed by the Chief Electoral Officer;

**(xvii) by repealing clause (kk);**

**(xviii) by adding the following after clause (mm):**

(mm.1) “voting area” means a voting area referred to in section 14(b);

(jj) *“Standing Committee” means the Standing Committee on Legislative Offices;*

(kk) *“subdivision” means a subdivision referred to in section 14(a);*

(mm) *“voting” means voting at an election or plebiscite;*

*(5) Where this Act requires a document or record to be filed, established, maintained, returned, transmitted, produced, submitted or served, the Chief Electoral Officer may specify whether that document or record must be in printed form or in electronic form, or both.*

- (mm.2) “voting place” means a place where one or more voting stations are provided for the purpose of voting at an election;
- (mm.3) “voting record” means a record containing the information described in section 17 that is used
- (i) to allow election officers to determine who is on the list of electors,
  - (ii) to make any required updates to the personal information of electors,
  - (iii) to add electors who have taken a declaration under section 100.4 or 100.5,
  - (iv) to record which electors have voted, and
  - (v) to make any required annotations regarding the voting process;
- (mm.4) “voting station” means a place within a voting place, advance voting place or mobile voting place where an elector casts the elector’s vote or advance vote;

**(b) by adding the following after subsection (5):**

**(6)** When this Act requires that a document be filed with, returned, transmitted or submitted to, produced for or served on the Chief Electoral Officer or a returning officer, this obligation is met when the document is actually received by the Chief Electoral Officer or the returning officer, as the case may be.

**(3) Section 3 is amended**

- (a) in subsection (3) by striking out** “polling day for a general election” **and substituting** “election day for the 2nd general election held after the Chief Electoral Officer was appointed”;

**(b) by adding the following after subsection (3):**

**(3.1)** Despite subsection (3), the appointment of the Chief Electoral Officer appointed prior to the coming into force of section 4(3) of the *Election Statutes Amendment Act, 2021 (No. 2)*



(3) Section 3(3) presently reads:

*(3) The appointment of the Chief Electoral Officer expires 12 months after polling day for a general election unless the Chief Electoral Officer is reappointed by the Lieutenant Governor in Council prior to that date on the recommendation of the Standing Committee.*

expires 12 months after election day for the next general election after the coming into force of that subsection unless the Chief Electoral Officer is reappointed by the Lieutenant Governor in Council prior to that date on the recommendation of the Standing Committee.

**(4) Section 3.1(1) is amended by striking out “or the *Election Finances and Contributions Disclosure Act*” and substituting “, the *Citizen Initiative Act*, the *Recall Act* or the *Election Finances and Contributions Disclosure Act*”.**

**(5) Section 4 is amended**

**(a) in subsection (1)(b) and (c) by striking out “and the *Alberta Senate Election Act*” and substituting “, the *Alberta Senate Election Act* and any other Act to which this Act applies”;**

**(b) in subsection (2)(a) by striking out “and the *Election Finances and Contributions Disclosure Act*” and substituting “, the *Election Finances and Contributions Disclosure Act* and any other Act to which this Act applies”;**

**(c) by adding the following after subsection (2.1):**

**(2.2)** Subject to regulations made under section 207(1)(d), the Chief Electoral Officer may prescribe oaths for the purposes of this Act.

**(d) in subsection (3)**

**(i) in the portion preceding clause (a) by striking out “a plebiscite or referendum under any other Act to which this Act applies” and substituting “a petition, plebiscite, referendum or vote under any other Act to which this Act applies”;**

**(ii) in clause (d) by striking out “polling stations” and substituting “voting stations”;**

(4) Section 3.1(1) presently reads:

*3.1(1) Before beginning the duties of office, the Chief Electoral Officer shall take an oath to perform the duties of the office faithfully and impartially and, except as provided in this Act, the Alberta Senate Election Act or the Election Finances and Contributions Disclosure Act, not to disclose any information received by the Office of the Chief Electoral Officer under this or any other Act.*

(5) Section 4 presently reads in part:

*4(1) The Chief Electoral Officer shall*

- (b) enforce fairness and impartiality on the part of all election officers in the conduct of their duties and compliance with this Act and the Alberta Senate Election Act;*
- (c) issue to election officers any guidance, direction and information the Chief Electoral Officer considers necessary to ensure the effective carrying out of their duties under this Act and the Alberta Senate Election Act;*

*(2) The Chief Electoral Officer shall from time to time*

- (a) provide the public with information about the election process, the democratic right to vote, the right to be a candidate and, generally, about the operation of this Act and the Election Finances and Contributions Disclosure Act,*

*(2.1) The Chief Electoral Officer may from time to time meet with representatives of the registered political parties that are represented in the Legislative Assembly concerning the election process or activities under this Act, the Election Finances and Contributions Disclosure Act or the Alberta Senate Election Act.*

*(3) The Chief Electoral Officer may, where the Chief Electoral Officer considers it necessary for the efficient conduct of an election, enumeration or plebiscite under this Act, an election under the Alberta Senate Election Act or a plebiscite or referendum under any other Act to which this Act applies,*

**(e) in subsections (3.1) to (3.4) by striking out “polling place” wherever it occurs and substituting “voting place”;**

**(f) by adding the following after subsection (3.4):**

**(3.41)** Despite subsection (3.4), in the case of advance voting, voting adjourned under subsection (3.1)

(a) may be recommenced on another day, and

(b) must continue, when recommenced, so that the total number of hours the advance voting place is open for the purpose of voting is the same number of hours that the advance voting place was scheduled to be open.

**(g) in subsection (3.9) by striking out “, deputy returning officers”;**

**(h) in subsection (5)**

**(i) in the portion preceding clause (a) by striking out “a plebiscite or referendum under any other Act” and substituting “a petition, plebiscite, referendum or vote under any other Act”;**

**(ii) in clause (a) by striking out “by-election, plebiscite or referendum” and substituting “by-election, petition, plebiscite, referendum or vote”.**

*(d) increase the number of polling stations,*

*(3.1) Notwithstanding subsection (3), if, in the Chief Electoral Officer's opinion, an emergency, disaster, or an unusual or unforeseen circumstance requires delaying the opening of a polling place or interrupting voting at a polling place, the Chief Electoral Officer may adjourn voting at that polling place to another time on the same day at the same polling place or to the same time or another time on the same day at a different polling place if the emergency, disaster, or unusual or unforeseen circumstance*

*(a) has a significant effect on the ability of the Chief Electoral Officer or a returning officer to conduct an election,*

*(b) has a significant effect on the ability of electors to attend a polling place, or*

*(c) puts or may put the health or safety of persons in an electoral division at risk.*

*(3.2) The Chief Electoral Officer shall immediately notify registered political parties, registered candidates and registered candidates' official agents in the affected electoral division about any change in voting hours or the location of a polling place made under subsection (3.1) and publish the change on the Chief Electoral Officer's website and in any other manner the Chief Electoral Officer considers necessary.*

*(3.3) If a different polling place is fixed under subsection (3.1), the returning officer shall cause a conspicuous sign that clearly and accurately states the location of the new polling place to be attached to the original place where the polling place was to be located.*

*(3.4) Voting adjourned under subsection (3.1) must, when recommenced, continue so that the total number of hours the polling place is open for the purpose of voting is the same as that required under section 88(1)(c).*

*(3.9) If voting is adjourned under subsection (3.1) or the election is discontinued under subsection (3.5), returning officers, deputy returning officers and election officers must make all reasonable efforts to ensure that the election materials are secured and that the integrity of the election is not compromised.*

*(5) The Chief Electoral Officer shall, immediately after each enumeration, general election, election under the Alberta Senate*

**(6) Section 4.11 is amended**

**(a) in subsection (2)**

- (i) in the portion preceding clause (a) by striking out** “at an advance poll or special mobile poll by electors who reside in an electoral division other than in the electoral division for which the advance poll or special mobile poll is established” **and substituting** “at an advance voting place”;
- (ii) in clause (a)(i) by striking out** “advance poll or special mobile poll” **wherever it occurs and substituting** “advance voting place”;

**(b) in subsection (3)**

- (i) by repealing clauses (b) and (c) and substituting the following:**
  - (b) voting at an advance voting place;
  - (c) voting at a mobile voting place;
- (ii) by repealing clause (d);**
- (iii) by repealing clause (f) and substituting the following:**
  - (f) voting on election day.

**(7) Section 4.12(2)(b) is amended by striking out “polls” and substituting “voting”.**

*Election Act, by-election or plebiscite or a plebiscite or referendum under any other Act, prepare and have printed a report including*

- (a) a summary of the Chief Electoral Officer's conduct respecting the enumeration, general election, election under the Alberta Senate Election Act, by-election, plebiscite or referendum, as the case may be,*

(6) Section 4.11 presently reads in part:

*(2) The Chief Electoral Officer, with respect to voting at an advance poll or special mobile poll by electors who reside in an electoral division other than in the electoral division for which the advance poll or special mobile poll is established,*

- (a) may make a directive*

- (i) describing the procedures to be used for voting at the advance poll or special mobile poll, including*

- (A) providing for the form and printing of ballots for use at the advance poll or special mobile poll,*

*(3) The Chief Electoral Officer's directive under subsection (1) may apply to any one or more of the following:*

- (b) voting at an advance poll;*
- (c) voting at a mobile poll;*
- (d) voting at a special mobile poll;*
- (f) voting at a poll held on polling day.*

(7) Section 4.12(2)(b) presently reads:

*(2) The following restrictions apply with respect to the use of accessible voting equipment:*

- (b) the equipment must not be part of or connected to an electronic network, except that the equipment may be securely connected to a network after the close of polls for the purpose of transmitting information to the Chief Electoral Officer;*

**(8) Section 4.2(2) is amended by striking out “books or documents” wherever it occurs and substituting “records”.**

**(9) Section 5(1.2) is amended by striking out “and the *Alberta Senate Election Act*” and substituting “, the *Alberta Senate Election Act*, the *Citizen Initiative Act* and the *Recall Act*”.**

**(10) Section 5.1 is amended**

**(a) in subsection (1)**

**(i) by adding “or a returning officer” after “Chief Electoral Officer” wherever it occurs;**

**(ii) by striking out “or the *Alberta Senate Election Act*” and substituting “, the *Alberta Senate Election Act*, the *Citizen Initiative Act* or the *Recall Act*”;**

**(b) in subsection (2) by striking out “or the *Alberta Senate Election Act*” and substituting “, the *Alberta Senate Election Act*, the *Citizen Initiative Act* or the *Recall Act*”.**

**(11) Section 9 is amended**

**(a) in subsection (1) by striking out “with elections, enumerations and plebiscites under this Act” and substituting “with elections, enumerations, plebiscites and**



(8) Section 4.2(2) presently reads:

*(2) For the purpose of carrying out an inquiry under this Act, a representative of the Chief Electoral Officer, on production of the representative's authorization from the Chief Electoral Officer, may at any reasonable time enter any premises referred to in the authorization in which books or documents of a political party, constituency association or candidate relevant to the subject-matter of the inquiry are kept and may examine and make copies of the books or documents or remove them temporarily for the purpose of making copies.*

(9) Section 5(1.2) presently reads:

*(1.2) Whether or not there is an appointed Election Commissioner, the Chief Electoral Officer has all the powers, duties and functions of the Election Commissioner for the purposes of this Act, the Election Finances and Contributions Disclosure Act, the Local Authorities Election Act and the Alberta Senate Election Act and the Election Commissioner exercises or performs those powers, duties and functions subject to any restrictions, limitations or directions that the Chief Electoral Officer may specify.*

(10) Section 5.1 presently reads:

*5.1(1) No proceedings lie against the Chief Electoral Officer, or against a person acting for or under the direction of the Chief Electoral Officer, for anything done, or omitted to be done, in good faith in the exercise or performance or the intended exercise or performance of a power, duty or function under this Act, the Election Finances and Contributions Disclosure Act or the Alberta Senate Election Act.*

*(2) No proceedings lie against the Election Commissioner, or against a person acting for or under the direction of the Election Commissioner, for anything done, or omitted to be done, in good faith in the exercise or performance or the intended exercise or performance of a power, duty or function under this Act, the Election Finances and Contributions Disclosure Act, the Local Authorities Election Act or the Alberta Senate Election Act.*

(11) Section 9 presently reads in part:

*9(1) The Chief Electoral Officer may appoint a returning officer for each electoral division for the purposes of or in connection with*

votes under this Act, the *Citizen Initiative Act* or the *Recall Act*";

**(b) by adding the following after subsection (1.1):**

**(1.2)** If a recall vote under the *Recall Act* is to be conducted under this Act before returning officers are appointed under subsection (1), returning officers may be appointed for the purpose of the recall vote.

**(c) in subsection (3)(a) by striking out "polling subdivision" and substituting "voting area".**

**(12) Section 10(3) is amended by striking out "polling day" and substituting "the election day".**

**(13) Section 12 is amended in the portion preceding clause (a) by striking out ", election clerk or administrative assistant" and substituting "or election clerk".**

**(14) Section 13 is amended**

**(a) in subsection (1)**

- (i) by striking out "polling subdivisions" and substituting "voting areas";**
- (ii) by adding " , petitions, plebiscites or votes under the *Citizen Initiative Act* or the *Recall Act*" after "elections under the *Alberta Senate Election Act*";**

**(b) by adding the following after subsection (2)(c):**

- (c.1) the email address of the person, if the person has consented to the collection and use of their email address,**

**(c) by adding the following after subsection (2):**

**(2.1)** A person may be added to the register of electors when the Chief Electoral Officer has the information with respect to that person that is referred to in subsection (2)(a), (b), (e) and (f).

*elections, enumerations and plebiscites under this Act and elections under the Alberta Senate Election Act.*

*(1.1) If a by-election, an election under the Alberta Senate Election Act or a plebiscite is to be conducted under this Act before returning officers are appointed under subsection (1), returning officers may be appointed for the purpose of the by-election, election under the Alberta Senate Election Act or plebiscite.*

*(3) In addition to performing the duties specified in this or any other Act, a returning officer shall*

*(a) from time to time review polling subdivision boundaries on the direction of the Chief Electoral Officer,*

(12) Section 10(3) presently reads:

*(3) The appointment of a returning officer expires 4 months after polling day of the general election in which the returning officer was a returning officer unless it is sooner terminated.*

(13) Section 12 presently reads in part:

*12 No person who has been appointed or is acting as a returning officer, election clerk or administrative assistant may*

(14) Section 13 presently reads in part:

*13(1) The Chief Electoral Officer shall maintain a register of electors from which lists of electors for polling subdivisions for each electoral division may be compiled for use at general elections, by-elections or plebiscites under this Act, elections under the Alberta Senate Election Act or referendums or plebiscites under any other Act.*

*(2) The register of electors may only contain the following information about persons ordinarily resident in Alberta who are electors or will be eligible to be electors:*

*(a) the residential address, including the postal code, of the residence of the person, and the mailing address, including the postal code, if the mailing address is different from the residential address,*

*(b) the surname, given name and any middle name of the person,*

**(15) Section 13.1 is amended**

- (a) in subsection (2)(a) by striking out “a door-to-door” and substituting “an”;**
- (b) in subsection (2.1) by striking out “must” and substituting “may”;**
- (c) by adding the following after subsection (2.1):**

**(2.2)** The Chief Electoral Officer shall enter in the register any information listed in section 13(2) that is collected during an election period.

**(16) Section 13.2(3) is amended by adding “providing or” after “purpose of”.**

**(17) Section 13.3 is amended**

- (a) in subsection (1)(b) by striking out “his or her personal information removed from or not included in the register” and substituting “a notation made in the register that the person does not want to have their personal information included in a list of electors”;**

- (c) *the telephone number of the person,*
- (d) *the gender of the person,*
- (e) *the citizenship of the person,*
- (f) *the date of birth of the person,*
- (g) *the permanent unique identifier number assigned under subsection (4), and*
- (h) *any other identification number assigned by other persons who provide information to the Chief Electoral Officer under section 13.1 or pursuant to an agreement under section 13.2 to assist in distinguishing a person from another person or verifying information about a person.*

(15) Section 13.1 presently reads in part:

- (2) *The register may be revised by any or all of the following methods:*
  - (a) *conducting a door-to-door enumeration in accordance with Division 3 of all or some of the electoral divisions, or portions of any of them, as determined by the Chief Electoral Officer;*
- (2.1) *If information has been collected under the Alberta Personal Income Tax Act with the consent of the taxpayers to whom the information relates for the purpose of updating the list of electors, the Chief Electoral Officer must use that information to revise the register.*

(16) Section 13.2(3) presently reads:

- (3) *The Chief Electoral Officer may enter into agreements with any person for the purpose of obtaining address, mapping, demographic or geographic information, including geospatial information.*

(17) Section 13.3 presently reads in part:

- 13.3(1) *A person or the person's agent may, on request and in the manner determined by the Chief Electoral Officer,*
  - (b) *have his or her personal information removed from or not included in the register.*

**(b) by repealing subsection (2) and substituting the following:**

(2) Where a person has requested that a notation be made under subsection (1)(b), the Chief Electoral Officer must ensure that the person's personal information is not included in a list of electors.

**(c) by repealing subsection (3) and substituting the following:**

(3) Any person or agent of a person requesting access to information in the register shall complete and sign a declaration.

**(18) Section 14 is amended**

**(a) in clause (a) by striking out "subdivision" and substituting "voting area";**

**(b) by repealing clause (b) and substituting the following:**

(b) subdivide the entire electoral division for which the returning officer was appointed into as many sequentially numbered areas as considered necessary for use as voting areas in any general election, by-election, petition, plebiscite, referendum or vote.

**(c) by striking out the portion following clause (b).**

**(19) Section 15(1) is amended**

**(a) by striking out "polling subdivisions" and substituting "voting areas";**

**(b) by striking out "general election, by-election, referendum or plebiscite" and substituting "general election, by-election, petition, plebiscite, referendum or vote".**

**(20) Section 16(d) is amended by striking out "subdivision" and substituting "voting area".**

*(2) Where a request is made under subsection (1)(b), the Chief Electoral Officer must remove the person's personal information from the register or not include the person's personal information in the register.*

*(3) Any person requesting access to information for the purpose set out in subsection (2) shall complete and sign a declaration.*

(18) Section 14 presently reads:

*14 The Chief Electoral Officer shall, from time to time, in consultation with the returning officer for each electoral division,*

- (a) review the boundary of and the number of electors in each subdivision, and*
- (b) if necessary, subdivide the entire electoral division for which the returning officer was appointed into as many sequentially numbered subdivisions as considered necessary for use as polling subdivisions in any general election, by-election, referendum or plebiscite*

*and shall attempt to ensure, as far as possible, that no subdivision contains more than 450 electors.*

(19) Section 15(1) presently reads:

*15(1) Lists of electors for polling subdivisions for each electoral division to be used for a general election, by-election, referendum or plebiscite are to be compiled from the register.*

(20) Section 16 presently reads in part:

*16 Subject to section 45, a person is eligible to have the person's name included on a list of electors if that person as of a date fixed by the Chief Electoral Officer*

**(21) Section 18 is amended**

**(a) in subsection (2)**

**(i) in clause (a)**

**(A) in subclause (i) by striking out “polling subdivisions” and substituting “voting areas”;**

**(B) in subclause (ii)**

**(I) by adding “registered” before “political party’s”;**

**(II) by striking out “polling subdivision” and substituting “voting area”;**

**(ii) in clause (b)**

**(A) in subclause (i) by striking out “polling subdivisions” and substituting “voting areas”;**

**(B) in subclause (ii) by striking out “polling subdivision” and substituting “voting area”;**

**(b) in subsection (3)**

**(i) in clause (a) by striking out “polling subdivisions” and substituting “voting areas”;**

**(ii) in clause (b)**

**(A) by adding “registered” before “political party’s”;**

**(B) by striking out “polling subdivision” and substituting “voting area”;**

**(c) by adding the following after subsection (3):**

**(3.1)** The Chief Electoral Officer shall, following the close of revisions to the list of electors under section 50, furnish free of charge



- (d) is ordinarily resident in the electoral division and subdivision for which that person is to have the person's name included on the list of electors.*

(21) Section 18 presently reads in part:

*(2) The information to be furnished under subsection (1) is as follows:*

- (a) to a registered political party,*
  - (i) 2 maps showing the polling subdivisions in each electoral division, and*
  - (ii) in accordance with the political party's request, one printed copy or one copy in electronic form, or both, of the list of electors for each polling subdivision in each electoral division,*

*and*

- (b) to a member of the Legislative Assembly who is not a member of a registered political party,*
  - (i) 2 maps showing the polling subdivisions, and*
  - (ii) in accordance with the member's request, one printed copy or one copy in electronic form, or both, of the list of electors for each polling subdivision*

*in the electoral division that the member represents.*

*(3) The Chief Electoral Officer shall, as soon as possible after a writ has been issued for a general election, furnish free of charge to each registered political party,*

- (a) 2 maps showing the polling subdivisions in each electoral division, and*
- (b) in accordance with the political party's request, one printed copy or one copy in electronic form, or both, of the list of electors for each polling subdivision in each electoral division.*

*(4) The Chief Electoral Officer is not required to furnish copies of the maps and lists of electors under subsection (1) or (3) if there has been no change to the boundaries, the maps or the information in*

- (a) to each registered political party, one printed copy or one copy in electronic form, or both, in accordance with the political party's request, of the additions to the list of electors for each voting area in each electoral division, and
- (b) to each candidate who has filed nomination papers, one printed copy or one copy in electronic form, or both, in accordance with the candidate's request, of the additions to the list of electors for each voting area in the electoral division in which the candidate is seeking election.

**(3.2)** The Chief Electoral Officer shall, following the close of advance voting, furnish free of charge

- (a) to each registered political party, one copy in electronic form of the revised list of electors for each voting area in each electoral division, and
  - (b) to each candidate who has filed nomination papers, one copy in electronic form of the revised list of electors for each voting area in the electoral division in which the candidate is seeking election.
- (d) in subsection (4) by striking out "subsection (1) or (3)" wherever it occurs and substituting "subsection (1), (3), (3.1) or (3.2)";**
  - (e) in subsection (5) by striking out "polling subdivision" wherever it occurs and substituting "voting area";**
  - (f) in subsection (6) by striking out "subsection (1) or (3)" and substituting "subsection (1), (3) or (3.1)".**

**(22) Section 19 is amended**

- (a) by repealing subsection (1) and substituting the following:**

**Post-election-day list of electors**

**19(1)** The Chief Electoral Officer shall, within a reasonable period of time after election day for a general election, prepare a post-election-day list of electors for each voting area in each electoral division.

*the register that is used to compile the lists of electors since the Chief Electoral Officer last furnished copies of the boundaries, maps and lists of electors pursuant to subsection (1) or (3), as the case may be.*

*(5) The Chief Electoral Officer shall, on request and payment of the cost to produce the information as determined by the Chief Electoral Officer, furnish*

- (a) to a registered political party in accordance with the political party's request, one printed copy or one copy in electronic form, or both, of the list of electors for each polling subdivision in each electoral division, and*
- (b) to each member of the Legislative Assembly in accordance with the member's request, one printed copy or one copy in electronic form, or both, of the list of electors for each polling subdivision in the electoral division that the member represents.*

*(6) A member or a registered political party may request additional copies of the lists of electors in addition to those furnished under subsection (1) or (3) on providing a reason for the additional copies and on payment of an amount determined by the Chief Electoral Officer.*

(22) Section 19 presently reads:

*19(1) The Chief Electoral Officer shall, forthwith after polling day for a general election, prepare a post-polling-day list of electors for each polling subdivision in each electoral division.*

*(2) The Chief Electoral Officer shall furnish free of charge*

- (a) to each registered political party, one printed copy or one copy in electronic form, or both, in accordance with the political party's request, of the post-polling-day list of*

**(b) in subsection (2)**

- (i) by striking out “post-polling-day” wherever it occurs and substituting “post-election-day”;**
- (ii) by striking out “polling subdivision” wherever it occurs and substituting “voting area”.**

**(23) Section 20(2) is amended by striking out “post-polling-day” and substituting “post-election-day”.**

**(24) Section 21 is repealed and the following is substituted:**

**Enumerations**

**21(1)** The Chief Electoral Officer may, at any time the Chief Electoral Officer considers advisable, conduct an enumeration, or direct a returning officer to conduct an enumeration, of some or all of the electoral divisions, or within an electoral division, by any means the Chief Electoral Officer determines sufficient to meet the purposes of the enumeration.

**(2)** The Chief Electoral Officer shall issue guidelines and provide direction for the conduct of an enumeration.

**(3)** With respect to an enumeration of the electors on an Indian reserve or on a Metis settlement, the Chief Electoral Officer shall consult with the council of each Indian band and with the settlement council and settlement administrator of each Metis settlement with respect to the manner in which the enumeration can be conducted most effectively.

*electors for each polling subdivision in each electoral division, and*

- (b) to each member of the Legislative Assembly, one printed copy or one copy in electronic form, or both, in accordance with each member's request, of the post-polling-day list of electors for each polling subdivision in the electoral division that the member represents.*

(23) Section 20(2) presently reads in part:

- (2) A list of electors, including a post-polling-day list of electors under section 19, may be used only as follows:*

(24) Section 21 presently reads:

*21(1) Prior to the general election to be held following the 2015 general election, the Chief Electoral Officer shall conduct a door-to-door enumeration of every electoral division, including an enumeration of Indian reserves and Metis settlements.*

*(2) The Chief Electoral Officer shall give reasonable notice in writing to the council of each Indian band and to the settlement council and settlement administrator of each Metis settlement prior to an enumeration of the electors on the Indian reserve or on the Metis settlement, respectively, providing notice that enumerators will be conducting an enumeration in the area.*

*(3) The Chief Electoral Officer shall consult with the council of each Indian band and with the council and settlement administrator of each Metis settlement with respect to the manner in which the enumeration can most effectively be conducted.*

*(4) Following the enumeration referred to in subsection (1), the Chief Electoral Officer shall table a report with the Standing Committee that includes the following information:*

- (a) the number of residences contacted during an enumeration;*
- (b) the percentage of persons who responded to the enumeration;*
- (c) the number of Indian reserves and Metis settlements contacted by the Chief Electoral Officer for the purposes of conducting an enumeration;*
- (d) the number of Indian reserves and Metis settlements that participated in the enumeration;*

**(25) Sections 22 and 23 are repealed and the following is substituted:**

**Enumerators**

**22(1)** The Chief Electoral Officer may appoint, or direct that a returning officer appoint, sufficient enumerators for the conduct of an enumeration.

- (e) *any challenges encountered in hiring persons to conduct door-to-door enumerations and the impact of door-to-door enumerations on other election officers;*
  - (f) *the cost of conducting the enumeration;*
  - (g) *any other matter the Chief Electoral Officer considers appropriate.*
- (5) *The Standing Committee shall lay the report before the Legislative Assembly if it is then sitting or, if it is not then sitting, not more than 15 days after the commencement of the next sitting of the Assembly.*
- (6) *The Lieutenant Governor in Council may make regulations respecting the manner in which an enumeration, if any, may be conducted following the enumeration referred to in subsection (1).*
- (7) *Notwithstanding anything in this section, the Chief Electoral Officer may, at any time the Chief Electoral Officer considers it advisable, conduct an enumeration of all or some of the electoral divisions, or within an electoral division.*
- (8) *In this section and section 52.1,*
- (a) *“council” means the “council of the band” within the meaning of the Indian Act (Canada);*
  - (b) *“Indian band” means a band within the meaning of the Indian Act (Canada);*
  - (c) *“settlement administrator” means the person appointed by the settlement council as the senior administrative officer of the settlement, within the meaning of the Metis Settlements Act;*
  - (d) *“settlement council” means the council of a Metis settlement within the meaning of the Metis Settlements Act.*
- (25) *Sections 22 and 23 presently read:*
- 22(1) In conducting an enumeration, the Chief Electoral Officer shall provide maps showing subdivision boundaries for use by the enumerators.*
- (2) The Chief Electoral Officer shall provide each returning officer with sufficient quantities of all necessary forms and materials,*

(2) If an enumerator is unable or unwilling to act or neglects the enumerator's duties, the Chief Electoral Officer or returning officer conducting the enumeration may appoint another enumerator in the enumerator's place.

**(26) Sections 25 to 27 are repealed.**



*including enumerator identification documents, to enable the efficient conduct of the required enumeration.*

*23 Each returning officer shall, in accordance with directions issued by the Chief Electoral Officer, appoint sufficient enumerators for the efficient conduct of the enumeration within the returning officer's electoral division.*

(26) Sections 25 to 27 presently read:

*25(1) Each returning officer shall, in accordance with the directions of the Chief Electoral Officer, appoint an enumerator for each subdivision in an electoral division.*

*(2) The returning officer may, with the approval of the Chief Electoral Officer, appoint a 2nd enumerator for a subdivision if the returning officer considers it necessary for the completion of the enumeration or the security of the enumerator.*

*(4) When 2 enumerators are appointed for a subdivision, they shall*

- (a) act jointly and not individually in each step of the preparation of the list of electors,*
- (b) both sign any document that is required to be signed by an enumerator in respect of an enumeration, and*
- (c) report immediately to the returning officer for the electoral division the facts and details of any disagreement between them.*

*(5) The returning officer shall decide any matter under disagreement referred to the returning officer under subsection (4)(c) and immediately communicate that decision to the enumerators.*

*(6) A qualified enumerator may, at the discretion of the returning officer, be appointed as an enumerator for more than one subdivision.*

*26 The returning officer shall provide all necessary forms and materials, including identification documents, to each enumerator in the returning officer's electoral division.*

*27(1) If an enumerator is unable or unwilling to act or neglects the enumerator's duties, the returning officer may appoint another enumerator in the enumerator's place.*

**(27) Section 30 is amended**

- (a) in subsection (1) by adding “Chief Electoral Officer or” after “selected by the”;**
- (b) in subsection (2)**
  - (i) by striking out “Subject to subsection (10), each” and substituting “An”;**
  - (ii) by striking out “either in person, by telephone or by mail, as directed by the returning officer, each assigned residence in the subdivision” and substituting “in the manner directed by the Chief Electoral Officer or returning officer, each assigned residence in the voting area”;**
  - (iii) in clause (d) by striking out “subdivision” and substituting “voting area”;**
- (c) by repealing subsections (3), (4) and (6);**
- (d) in subsection (7) by striking out “subdivision” and substituting “voting area”;**
- (e) by repealing subsections (8) to (10);**
- (f) by repealing subsection (11) and substituting the following:**
  - (11)** The Chief Electoral Officer may direct an enumerator not to visit an assigned residence if, in the enumerator’s opinion, the safety of the enumerator may be at risk.

*(2) An enumerator replaced under this section shall, on receipt of a written request signed by the returning officer, deliver or give up to the enumerator's successor or any other authorized person the enumerator's identification documents and any enumeration documents and written information the enumerator has obtained respecting the enumeration.*

(27) Section 30 presently reads in part:

*30(1) In this section, "assigned residence" means a residence selected by the returning officer in respect of which the information required for the register may be incomplete or incorrect.*

*(2) Subject to subsection (10), each enumerator shall contact, either in person, by telephone or by mail, as directed by the returning officer, each assigned residence in the subdivision to determine which persons residing in the assigned residence*

*(d) are ordinarily resident in the electoral division and subdivision for which those persons are to have their names included on the list of electors,*

*as of a date determined by the Chief Electoral Officer, and shall record on the form provided by the Chief Electoral Officer the information referred to in section 13(2)(a) to (f) with respect to those persons.*

*(3) The enumerator shall leave at each assigned residence contacted under subsection (2) a notice that elector information relating to the persons living in that residence has been collected.*

*(4) An enumerator is not to visit or contact treatment centres, students' residences operated by an educational institution and exempted by the Chief Electoral Officer, temporary work camps, penitentiaries, correctional institutions, remand centres, detention centres, emergency shelters or any similar institutions unless the returning officer or the Chief Electoral Officer is of the opinion that there are a sufficient number of electors who are residing in the institution.*

*(6) Each enumerator, in accordance with the directions of the Chief Electoral Officer, shall visit every assigned residence in the enumerator's subdivision at least once during the enumeration period, and if the enumerator has visited an assigned residence and found no responsible person there, the enumerator shall contact the residence on at least 2 more occasions.*

**(28) Sections 31 to 33 and 38 are repealed.**

*(7) The enumerator may contact the assigned residences in the enumerator's subdivision only between the hours of 9:00 a.m. and 9:00 p.m.*

*(8) If an enumerator has visited an assigned residence and found no responsible person there, the enumerator shall leave a form provided by the Chief Electoral Officer at the residence so that any qualified elector residing at the residence may be added to the list of electors.*

*(9) Prior to the date determined by the Chief Electoral Officer, a form left under subsection (8) may be returned as stated in the form.*

*(10) The Chief Electoral Officer may direct a returning officer for an electoral division that assigned residences be contacted within that electoral division by means other than those referred to in subsection (2).*

*(11) Notwithstanding anything in this section, the Chief Electoral Officer may direct an enumerator not to visit an assigned residence if, in the Chief Electoral Officer's opinion, the safety of an enumerator may be at risk.*

**(28) Sections 31 to 33 and 38 presently read:**

*31(1) The returning officer for an electoral division may, with the approval of the Chief Electoral Officer, designate any area of the electoral division as a remote area.*

*(2) An elector ordinarily resident in a designated remote area is eligible to vote by Special Ballot.*

*(3) Notwithstanding section 30, an enumeration in a designated remote area shall, subject to*

*(a) the regulations, and*

*(b) any directions of the Chief Electoral Officer,*

*be conducted in a way the returning officer considers appropriate.*

*(4) A designated remote area is a polling subdivision but no polling places may be established in it and no deputy returning officer or poll clerk may be appointed for it.*



*32(1) On or before the date determined by the Chief Electoral Officer, the enumerator shall submit to the returning officer the forms completed under section 30(2).*

*(3) Within 5 days after the completion of the enumeration, the enumerator shall*

- (a) submit all copies of the forms completed under section 30(2) and any forms received under section 30(9), and*
- (b) return all enumeration materials, including the enumerator's identification documents, to the returning officer.*

*33 The returning officer shall satisfy himself or herself as to the proper completion of the forms referred to in section 30(2) prior to authorizing payment of the enumerator's expense claim.*

*38(1) Each returning officer shall, with respect to the returning officer's electoral division, submit to the Chief Electoral Officer not later than the date determined by the Chief Electoral Officer,*

- (a) the forms completed under section 30(2) for each polling subdivision,*
- (b) one copy of a map of the electoral division clearly indicating the sequentially numbered polling subdivisions,*
- (c) all expense claims,*
- (d) all unused enumeration materials,*
- (e) all enumerator identification documents, with a satisfactory accounting of any absences, and*
- (f) information to be included in the register of electors prepared in a manner prescribed by the Chief Electoral Officer.*

*(2) The returning officer shall review the boundaries of and the number of electors in each subdivision of the returning officer's electoral division and, if the returning officer considers it necessary, shall, in consultation with the Chief Electoral Officer, redefine and, if necessary, renumber the subdivisions in accordance with section 14 for use as polling subdivisions in any election, by-election, referendum or plebiscite.*

**(29) Section 38.1(2) is repealed and the following is substituted:**

(2) Subject to subsection (1), election day for a general election shall be the last Monday in May in the 4th calendar year following the election day of the most recent general election.

**(30) Section 43 is repealed and the following is substituted:**

**Persons eligible to vote**

**43(1)** For the purposes of subsection (2)(a) and (b), “identification” means identification as defined in section 100(2).

(2) Subject to section 45, an elector is eligible to vote for a candidate in the electoral division where the elector is ordinarily resident if

- (a) the elector’s name appears on the list of electors for the voting area and
  - (i) the name and address on the elector’s identification match the name and address on the list of electors,
  - (ii) the name and address on the elector’s identification does not match the name and address on the list of electors but the elector confirms the elector’s identity and current residential address by signing a declaration under section 100.2, or
  - (iii) the elector does not have identification and is accompanied by another elector whose name appears on the list of electors for the same voting area and
    - (A) that other elector provides their identification to an election officer and vouches for the elector by signing a declaration under section 100.3, and
    - (B) the elector confirms the elector’s identity and current residence by signing a declaration under section 100.3,
- (b) the elector’s name does not appear on the list of electors for the voting area and



(29) Section 38.1(2) presently reads:

*(2) Subject to subsection (1), general elections shall be held within the 3-month period beginning on March 1 and ending on May 31 in the 4th calendar year following polling day in the most recent general election.*

(30) Section 43 presently reads:

*43 Subject to section 45, an elector is eligible to vote for a candidate in the electoral division where the elector is ordinarily resident if*

- (a) that elector's name appears on the list of electors for the polling subdivision,*
- (b) that elector signs a declaration under section 95, or*
- (c) that elector's name has been entered in the Special Ballot Poll Book and the person has properly completed part 1 of the certificate referred to in section 118(2)(d).*

- (i) the elector provides identification to confirm the elector's identity and current residential address and signs a declaration under section 100.4, or
- (ii) the elector is accompanied by another elector whose name appears on the list of electors for the same voting area and
  - (A) that other elector provides their own identification to an election officer and vouches for the elector by signing a declaration under section 100.5, and
  - (B) the elector confirms the elector's identity and current address by signing a declaration under section 100.5,

or

- (c) the elector's name has been entered in the Special Ballot voting record and the elector has properly completed part 1 of the certificate referred to in section 118(2)(d) and provided a copy of their prescribed identification document or documents referred to in section 118(2)(e).

**(3) This section does not apply to**

- (a) an initiative petition or an initiative vote under the *Citizen Initiative Act*, or
- (b) a recall petition or a recall vote under the *Recall Act*.

**(31) Section 44 is amended**

**(a) in subsection (1)**

- (i) **by striking out** "section 16(c) and (d)" **and substituting** "section 16(d)";
- (ii) **by striking out** "polling subdivision" **and substituting** "voting area";
- (iii) **by striking out** "that subdivision" **and substituting** "that voting area";

(31) Section 44 presently reads:

*44(1) A person who is otherwise eligible as an elector but who does not meet the residence requirements of section 16(c) and (d) because the person's ordinary place of residence is outside Alberta for the purpose of carrying out the person's function as*

- (a) a member of the House of Commons of Canada representing an electoral district in Alberta,*
- (b) a member of the Senate of Canada representing Alberta, or*
- (c) an employee of the Government of Alberta*

**(b) in subsection (2) by striking out “subdivision” wherever it occurs and substituting “voting area”;**

**(c) in subsection (3)**

**(i) by striking out “under section 37 to the returning officer of the electoral division” and substituting “to the Chief Electoral Officer”;**

**(ii) by adding “under section 50” after “to the lists”.**

**(32) The following is added after section 45:**

**Appointment of election officers**

**45.1(1)** Subject to section 120(2)(c), the Chief Electoral Officer shall appoint, or provide for the appointment by returning officers of, election officers who shall be assigned to perform the duties and functions of election officers as established by the Chief Electoral Officer, including but not limited to the following duties and functions:

- (a) place signs to direct attention to voting places and post bulletins at voting stations and voting places;
- (b) immediately before the opening of voting places,
  - (i) show ballot boxes to the persons present so that they may see that the ballot boxes are empty,
  - (ii) seal the ballot boxes so that they cannot be opened without breaking the seal, and

*is, for the purposes of voting, deemed to be and to have been for the required period ordinarily resident in the polling subdivision of the electoral division in which the person last resided in Alberta and is eligible to have the person's name entered on the list of electors for that subdivision and to vote at an election.*

*(2) A person who*

- (a) is the spouse or adult interdependent partner or a dependant of and is ordinarily resident with a person described in subsection (1), and*
- (b) is otherwise eligible as an elector,*

*is, for the purposes of voting, deemed to be and to have been for the required period ordinarily resident in the same subdivision as the person described in subsection (1) and is eligible to have the person's name entered on the list of electors for that subdivision and to vote at an election.*

*(3) An application to have a name entered on the lists of electors must be made under section 37 to the returning officer of the electoral division before the time fixed for concluding revisions to the lists.*

**(32) Appointment of election officers.**

- (iii) place and maintain the ballot boxes on a desk, table, counter or similar place so that the ballot boxes are raised above the floor and constantly in the view of all persons present;
- (c) maintain the ballots provided to them in a secure manner;
- (d) keep ballot boxes sealed, maintain the security of ballot boxes and assist electors in depositing their ballots in ballot boxes;
- (e) maintain the voting record in the manner directed by the Chief Electoral Officer;
- (f) administer voting and take affidavits, oaths and declarations as required under this Act;
- (g) provide voter assistance, at the request of a voter, under section 96;
- (h) instruct, assist and respond to questions from electors;
- (i) assist electors who are not on the list of electors in the completion of declarations;
- (j) maintain peace and order at voting stations, in voting places and on the premises on which voting places are located;
- (k) perform counts, or assist in counts, of unused ballots, declined ballots, spoiled ballots, valid ballots and rejected ballots after the close of voting on election day from
  - (i) advance voting,
  - (ii) mobile voting,
  - (iii) special ballot voting, and
  - (iv) election day voting;
- (l) decide on objections to ballots made by persons attending counts;



- (m) complete Statements of Vote;
  - (n) provide overall supervision where there are multiple voting stations in a voting place;
  - (o) appoint, in the prescribed form, interpreters to translate questions and answers about voting procedures for persons not conversant in the English language;
  - (p) perform other duties and functions as required under this Act or by the Chief Electoral Officer or returning officer, as the case may be.
- (2) Subject to the Chief Electoral Officer's approval, each returning officer shall appoint election officers to assist them in performing the duties and functions of the returning officer.
- (3) The Chief Electoral Officer shall ensure that election officers under the Chief Electoral Officer's authority are trained sufficiently in order for the election officers to perform their duties and functions.
- (4) Each returning officer shall ensure that election officers under the returning officer's authority are trained sufficiently in order for the election officers to perform their duties and functions.
- (5) The Chief Electoral Officer shall provide all necessary supplies to election officers under the Chief Electoral Officer's authority in sufficient time to enable each election officer to adequately and efficiently carry out their duties and functions.
- (6) Each returning officer shall provide all necessary supplies to election officers under the returning officer's authority in sufficient time to enable each election officer to adequately and efficiently carry out their duties and functions.
- (7) The Chief Electoral Officer or a returning officer, as the case may be, shall ensure that election officers are appointed for each voting place to effectively operate the voting place and each voting station within the voting place in accordance with this Act.
- (8) Each returning officer shall designate one election officer in each voting place as the supervisor of the voting place, who shall be responsible for





- (a) conducting any duties designated in this Act for the supervisor of a voting place, and
- (b) supervising other election officers appointed to the voting place.

**(9)** Each election officer shall, before assuming their duties and functions, take the prescribed oath of office before the returning officer, election clerk or other election officer designated under section 49.

**(10)** Subject to subsection (11), any election officer who is appointed to carry out duties in an electoral division, at the request of their supervisor, may be required to carry out the duties of any other election officer at any voting place in the electoral division if that other election officer is unable to carry out their own duties.

**(11)** Any election officer may perform the duties of another election officer, other than the duties of a returning officer or election clerk, if required or requested by the Chief Electoral Officer, returning officer or the election officer's supervisor.

**(12)** If an election officer is required to perform the duties of another election officer, the election officer is not required to take another oath.

**(13)** If an election officer is unable or unwilling to act or neglects the election officer's duties, the Chief Electoral Officer or returning officer, as the case may be, may appoint another election officer in the election officer's place.

**(33) Section 47.1 is repealed.**

(33) Section 47.1 presently reads:

*47.1(1) In preparation for the conduct of an election in an electoral division, the returning officer shall appoint an administrative assistant.*

*(2) If an administrative assistant is unable or unwilling to act or neglects the administrative assistant's duties, the returning officer may appoint another administrative assistant in the administrative assistant's place.*

*(3) Each administrative assistant shall, before assuming the administrative assistant's duties, take the prescribed oath of office.*

**(34) Section 50 is amended**

**(a) by adding the following after subsection (1):**

**(1.1)** Following the issuance of the writ, an elector may apply to the returning officer in the elector's electoral division or to the Chief Electoral Officer for a revision to the list.

**(b) in subsection (2)(c) by striking out “the advance polls” and substituting “advance voting”.**

**(35) Section 51 is amended**

**(a) in subsection (2) by striking out “polling day” and substituting “election day”;**

**(b) in subsection (3) by adding “list of electors and” after “copies of the”.**

**(36) Section 52 is amended**

**(a) in subsection (1)**

**(i) by striking out “polling places” and substituting “voting places”;**

**(ii) by striking out “polling stations” and substituting “voting stations”;**

**(iii) by striking out “polling subdivision” and substituting “voting area”;**

**(b) in subsections (2) to (4) by striking out “polling place” and substituting “voting place”;**

**(c) in subsection (5)**

**(i) by striking out “polling station” and substituting “voting station”;**

*(4) An administrative assistant shall assist the returning officer and the election clerk in the performance of their duties.*

(34) Section 50 presently reads in part:

*50(1) Immediately following receipt of a writ, the returning officer shall have available in the returning officer's office and in any other location as directed by the Chief Electoral Officer one copy of the list of electors transmitted by the Chief Electoral Officer.*

*(2) The period for considering applications for revisions to the list shall*

*(c) conclude at 4 p.m. on the Saturday of the week preceding the opening of the advance polls.*

(35) Section 51 presently reads in part:

*(2) The lists referred to in subsection (1) shall be available from the date the Chief Electoral Officer issues a writ of election under section 40 until the end of polling day.*

*(3) A candidate or the candidate's official agent may inspect the list of electors and a separate list of additions to or revisions of the list of electors following the commencement of the revision period and may request copies of the additions to the list of electors.*

(36) Section 52 presently reads:

*52(1) Each returning officer shall, following receipt of the writ, provide polling places at which the polling stations for each polling subdivision within the returning officer's electoral division will be located.*

*(2) A polling place shall be in a location that, in the opinion of the returning officer, is convenient for the electors.*

*(3) Every polling place must, where practicable, be located in premises with barrier-free accessibility.*

*(4) A returning officer may utilize as a polling place any public building or any school that is the property of any school division organized under any Act if the building or school is suitable for the purpose.*

*(5) There may be more than one polling station located in a polling place.*

- (ii) **by striking out “polling place” and substituting “voting place”;**

**(d) in subsection (6)**

- (i) **by striking out “polling place” and substituting “voting place”;**
- (ii) **by striking out “polling subdivision” and substituting “voting area”;**

**(e) in subsection (6.1)**

- (i) **by striking out “polling place” wherever it occurs and substituting “voting place”;**
- (ii) **by striking out “polling station” and substituting “voting station”;**

- (f) **in subsection (7) by striking out “polling place” and substituting “voting place”.**

**(37) Section 52.1(1) and (2) are amended by striking out “polling place” and substituting “voting place”.**

**(38) The following is added after section 52.1:**

**Designation of remote areas**

**52.2(1)** The returning officer for an electoral division may designate, with the approval of the Chief Electoral Officer, any area of the electoral division as a remote area.

**(2)** An elector ordinarily resident in a designated remote area is eligible to vote by Special Ballot.

*(6) A polling place does not need to be located in the polling subdivision but shall be located in the electoral division.*

*(6.1) Notwithstanding subsection (6), with the prior written approval of the Chief Electoral Officer a polling place may be in an adjacent electoral division if the returning officer is unable to find a suitable place in the electoral division for the polling place or polling station.*

*(7) No polling place may be situated in licensed premises.*

(37) Section 52.1 presently reads:

*52.1(1) In preparation for an election, the Chief Electoral Officer shall consult with the council of each Indian band and with the settlement council and settlement administrator of each Metis settlement to determine whether a suitable building located on the Indian reserve or Metis settlement may be used as a polling place for electors who are residents on the Indian reserve or Metis settlement.*

*(2) If the council of an Indian band or the settlement council of a Metis settlement agrees to the use of a suitable building located on the Indian reserve or Metis settlement, the Chief Electoral Officer shall use the building as a polling place.*

(38) Designation of remote areas.

(3) A designated remote area is a voting area but no voting places may be established in it and no election officers may be appointed for it.

**(39) Section 53 is amended**

- (a) in subsection (1) by striking out “poll” and substituting “vote”;
- (b) by striking out “polling place” wherever it occurs and substituting “voting place”.

**(40) Section 54 is repealed and the following is substituted:**

**Voting place signs**

**54(1)** The Chief Electoral Officer shall prepare conspicuous signs for directing electors to the location of each voting place and shall distribute the signs to each returning officer.

(2) Each returning officer shall distribute the signs to the supervisor of each voting place in the returning officer’s electoral division.

(3) The supervisor of each voting place shall place, or shall direct election officers at each voting place to place, the signs at locations that will best direct attention to the voting place.

**(41) Section 55 is amended**

- (a) in subsection (1)
  - (i) in clause (c) by striking out “voting at an advance poll” and substituting “advance voting”;
  - (ii) in clause (d)
    - (A) by striking out “polling day” and substituting “election day”;



(39) Section 53 presently reads:

*53(1) Subject to section 4(3.1) and (3.5), if it is found to be impractical to hold the poll in a polling place fixed by the returning officer, the returning officer may fix a different polling place as near as possible to the location originally fixed and shall give immediate notice of the change to all candidates or their official agents and publish the change on the Chief Electoral Officer's website and in any other manner the Chief Electoral Officer considers necessary.*

*(2) When a different polling place is fixed under subsection (1), the returning officer shall cause a conspicuous sign that clearly and accurately states the location of the new polling place to be attached to the original place where the polling place was to be located.*

(40) Section 54 presently reads:

*54(1) Each returning officer shall*

*(a) have prepared conspicuous signs for directing electors to the location of each polling place within the returning officer's electoral division, and*

*(b) distribute the signs to each supervisory deputy returning officer or deputy returning officer in the returning officer's electoral division.*

*(2) The supervisory deputy returning officer or deputy returning officer shall place the signs received under subsection (1) at those places that will best direct attention to the polling place.*

(41) Section 55 presently reads in part:

*55(1) Each returning officer shall, as soon as possible but not later than the 5th day before nomination day, issue a proclamation containing the following:*

*(c) the place, dates and hours fixed for voting at an advance poll if voting is necessary,*

*(d) the date of polling day and the hours at which the polling places will open and close if voting is necessary,*

**(B) by striking out “polling places” and substituting “voting places”;**

**(iii) in clause (e) by striking out “polling day” and substituting “election day”;**

**(b) in subsection (2)**

**(i) in clause (b) by striking out “polling subdivisions” and substituting “voting areas”;**

**(ii) in clause (c) by striking out “polling places” and substituting “voting places”;**

**(iii) in clause (d) by striking out “the advance polling places” and substituting “advance voting places”.**

**(42) Section 56(b) and (c) are amended by striking out “polling day” and substituting “election day”.**

**(43) Section 59 is amended**

**(a) in subsection (1.01)**

**(i) by repealing clause (a);**

**(ii) in clause (b) by striking out “held other than in accordance with section 38.1(2)”;**

**(b) in subsection (5) by striking out “polling day” and substituting “election day”.**

*(e) the date and time for announcing the results of the official count, that date being the 10th day after polling day, and*

*(2) A returning officer shall post a copy of the following in the returning officer's office:*

*(b) a map of the electoral division including the numbered polling subdivisions;*

*(c) a list of the locations of polling places;*

*(d) a statement of the availability of barrier-free accessibility to the office of the returning officer and to the advance polling places;*

(42) Section 56 presently reads in part:

*56 A person is eligible to be nominated as a candidate in an election if on the day the person's nomination paper is filed the person*

*(b) is of the full age of 18 years or will be that age on polling day,*

*(c) has been ordinarily resident in Alberta continuously from the day 6 months immediately preceding polling day,*

(43) Section 59 presently reads in part:

*(1.01) The period for the purpose of subsection (1) is as follows:*

*(a) in the case of a general election held in accordance with section 38.1(2), the period commencing on February 1 in the year in which the general election is held and ending on nomination day;*

*(b) in the case of a general election held other than in accordance with section 38.1(2), the period commencing with the issue of a writ for the general election and ending on nomination day;*

*(5) An elector resident in an electoral division, on application to the returning officer of that electoral division, may, during the period commencing on the day following nomination day and ending on polling day, inspect the nomination papers filed by candidates in that electoral division.*

**(44) Section 61 is amended**

- (a) in subsection (1) by adding “and” at the end of clause (d) and by repealing clause (e);**
- (b) by repealing subsection (4).**

**(45) Section 62 is repealed.**

(44) Section 61 presently reads in part:

*61(1) A nomination paper is not valid and shall not be accepted for filing by the returning officer unless the original nomination paper is submitted for filing and*

*(d) the person being nominated confirms by affidavit*

*(i) that the person is eligible under section 56 for nomination,*

*(ii) that the person consents to the person's nomination,*

*(iii) the appointment of the person's official agent,*

*(iv) that the person is the officially endorsed candidate of a registered political party or is an independent candidate,*

*and the confirmation is filed with the nomination paper,*

*(e) it is accompanied with a deposit of \$500, and*

*(4) The deposit of \$500 referred to in subsection (1)(e) may be made during the time period referred to in section 59(1.01)(d) notwithstanding section 9(1.1) of the Election Finances and Contributions Disclosure Act.*

(45) Section 62 presently reads:

*62(1) The returning officer shall not accept a deposit tendered under section 61(1)(e) unless it consists of*

*(a) Bank of Canada notes,*

*(b) a certified cheque,*

*(c) a bank or postal money order, or*

*(d) a combination of any of those forms.*

*(2.1) The deposit received under section 61 must be refunded to the chief financial officer of the candidate if the required return is filed within the time period referred to in section 43(2) of the Election Finances and Contributions Disclosure Act.*

*(3) If a candidate dies after being nominated and prior to the closing of the polling places on polling day, the deposit shall be refunded to the candidate's chief financial officer.*

**(46) Section 63 is amended**

- (a) in clause (a)(ii) by striking out “polling places” and substituting “voting places”;**
- (b) in clause (b)**
  - (i) in subclause (ii) by striking out “polling subdivisions” and substituting “voting areas”;**
  - (ii) in subclause (iii) by striking out “polling places” and substituting “voting places”;**
  - (iii) in subclause (v) by striking out “polling subdivision” and substituting “voting area”.**

**(47) Section 65 is amended**

- (a) in subsection (1)**
  - (i) by striking out “the polls on polling day” and substituting “the vote on election day”;**
  - (ii) by striking out “signed by” and substituting “with an original signature of”;**
- (b) by repealing subsections (3), (4) and (5) and substituting the following:**
  - (3) If**
    - (a) a candidate withdraws after the ballots for the electoral division for which the candidate was nominated are printed, and**
    - (b) there remain 2 or more candidates,**

*(4) A deposit that is not refunded under this section shall be transmitted to the Chief Electoral Officer for deposit to the General Revenue Fund.*

(46) Section 63 presently reads in part:

*63 The returning officer, on filing a nomination paper, shall provide to the candidate,*

- (a) if the candidate is the candidate of a registered political party,*
- (ii) one list of the locations of the polling places, and*
- (b) in every other case,*
- (ii) one map of the electoral division indicating the numbered polling subdivisions,*
- (iii) one list of the locations of the polling places,*
- (v) in accordance with the candidate's request, one printed copy or one copy in electronic form, or both, of the list of electors for each polling subdivision in the electoral division.*

(47) Section 65 presently reads in part:

*65(1) At any time after the filing of the candidate's nomination paper but not later than 48 hours before the opening of the polls on polling day, the candidate may withdraw by filing with the returning officer a declaration to that effect signed by the candidate and having the candidate's signature witnessed.*

*(3) If*

- (a) a candidate withdraws after the ballots for the electoral division for which the candidate was nominated are printed, and*
- (b) there remain 2 or more candidates,*

*the returning officer shall advise each deputy returning officer of the returning officer's electoral division personally or by letter or telephone of the withdrawal and, if there is sufficient time, shall*

the returning officer shall advise each supervisor of a voting place in the returning officer's electoral division personally or by email or telephone of the withdrawal and, if there is sufficient time, the returning officer shall prepare a notice of withdrawal and distribute a copy to each supervisor of a voting place, who shall post it in a conspicuous location in the voting place.

**(4)** When, in acting under subsection (3), there is insufficient time to prepare and distribute a notice of withdrawal, the returning officer, when advising each supervisor of a voting place of the withdrawal, shall instruct each of those supervisors to cause a notice of withdrawal to be prepared by hand, and each of those supervisors shall post the notice in a conspicuous place in the voting place.

**(5)** When a candidate has withdrawn, each election officer that issues a ballot for that electoral division is responsible for ensuring that each voter is advised when receiving a ballot.

**(48) Section 66(1) is amended by striking out “polling places on polling day” and substituting “voting places on election day”.**

**(49) Section 67 is amended**

- (a) in subsection (1)(d) by striking out “polling date” and substituting “date of the election”;**
- (b) by repealing subsection (1.1).**

**(50) Section 69 is amended**

- (a) in subsection (1)**
  - (i) by striking out “poll is necessary” and substituting “vote is necessary”;**



*prepare a notice of withdrawal and distribute a copy to each deputy returning officer, who shall post it in a conspicuous location in the deputy returning officer's polling place.*

*(4) When, in acting under subsection (3), there is insufficient time to prepare and distribute a notice of withdrawal, the returning officer, when advising the deputy returning officers of the withdrawal, shall instruct each of them to cause a notice of the withdrawal to be prepared by hand, and on so complying each deputy returning officer shall post the notice in a conspicuous location in the deputy returning officer's polling place.*

*(5) When a candidate has withdrawn, the deputy returning officer is responsible for ensuring that each voter is so advised when receiving a ballot.*

(48) Section 66(1) presently reads in part:

*66(1) If a candidate in an electoral division dies after being nominated and prior to the closing of the polling places on polling day,*

(49) Section 67 presently reads in part:

*67(1) At 2 p.m. on the date appointed as nomination day, the returning officer shall, at the place fixed for the filing of nominations,*

*(d) announce the polling date and the date and time at which the official results will be announced.*

*(1.1) The returning officer shall send the deposits received under section 61 to the Chief Electoral Officer.*

(50) Section 69 presently reads in part:

*69(1) If a poll is necessary in an electoral division, the returning officer shall, immediately after the close of nominations, cause to be posted at every place where the proclamation was posted a notice of poll in the prescribed form indicating the names of the candidates*

- (ii) **by striking out** “notice of poll” **and substituting** “notice of vote”;
- (b) **in subsection (2)(a) by striking out** “polling places on polling day” **and substituting** “voting places on election day”.

**(51) Section 70 is repealed and the following is substituted:**

**Publishing information re location of voting place**

**70** Each returning officer shall publish within the 7 days immediately preceding election day, in the form and manner directed by the Chief Electoral Officer,

- (a) the map of the electoral division setting out the voting areas,
- (b) a list of the locations of the voting places, and
- (c) a statement of the availability of barrier-free accessibility to the office of the returning officer and to voting places.

**(52) Sections 71 to 77.2 are repealed.**

*and their respective registered political parties, if any, in the order in which the candidates' names will appear on the ballot.*

*(2) The returning officer shall*

- (a) ensure that corrections of obvious errors or omissions are made to the posted notices at any time up to 48 hours prior to the hour fixed for the opening of the polling places on polling day, and*

*(51) Section 70 presently reads:*

*70 Each returning officer shall*

- (a) publish within the 7 days immediately preceding polling day, in the form and manner directed by the Chief Electoral Officer,*
  - (i) a copy of the map of the electoral division setting out the polling subdivisions,*
  - (ii) a list of the locations of the polling places, and*
  - (iii) a statement of the availability of barrier-free accessibility to the office of the returning officer and to the advance polling places,*

*and*

- (b) provide one copy of the map and one copy of the list to each of the returning officer's deputy returning officers for use on polling day.*

*(52) Sections 71 to 77.2 presently read:*

*71(1) If an election is necessary in an electoral division, the returning officer or election clerk shall, for each polling subdivision, appoint in the prescribed form a person as deputy returning officer.*

*(2) Each deputy returning officer shall, before assuming the deputy returning officer's duties, take the prescribed oath of office before the returning officer or election clerk or any person authorized to take oaths in Alberta, and no charge may be made by the person administering the oath.*

*(5) If a deputy returning officer is unable or unwilling to act or neglects the deputy returning officer's duties, the returning officer*



*may appoint another deputy returning officer in that deputy returning officer's place, and a copy of the appointment shall be attached to the poll book.*

*72(1) The deputy returning officer for each polling station shall*

- (a) immediately before opening the poll, show the ballot box to the persons present so that they may see that it is empty,*
- (b) seal the box so that it cannot be opened without breaking the seal,*
- (c) place and maintain the ballot box on a desk, table, counter or similar place so that it is raised above the floor and constantly in the view of all persons present,*
- (d) keep the ballot box sealed, and*
- (e) perform any other duties required by this Act.*

*(2) The deputy returning officer is responsible for maintaining order at the deputy returning officer's polling station or polling place, as the case may be.*

*73(1) For each polling place established in an electoral division the returning officer for that electoral division shall appoint one or more qualified persons as poll clerks.*

*(1.1) Notwithstanding subsection (3), a person who is 16 or 17 years of age may be appointed as a poll clerk to carry out the duties of a poll clerk, except to act as a deputy returning officer under section 75.*

*(2) Each poll clerk shall, before assuming the poll clerk's duties, take the prescribed oath of office before the returning officer, election clerk or deputy returning officer or any person authorized to take oaths in Alberta, and no charge may be made by the person administering the oath.*

*(5) If a poll clerk is unable or unwilling to act or neglects the poll clerk's duties, the returning officer may appoint another poll clerk in that poll clerk's place, and a copy of the appointment shall be attached to the poll book.*

*74 A poll clerk shall*

- (a) maintain the poll book in the prescribed manner,*



- (b) *assist the deputy returning officer in the performance of the deputy returning officer's duties, and*
- (c) *perform any other duties required by the deputy returning officer.*

*75(1) If a deputy returning officer becomes ineligible to hold the office or is unable or unwilling to act or neglects the deputy returning officer's duties and has not been replaced by a successor, the poll clerk shall act as deputy returning officer.*

*(2) When a poll clerk is acting as a deputy returning officer, the poll clerk is liable for the poll clerk's acts or omissions in the poll clerk's capacity as a deputy returning officer as if the poll clerk had been appointed a deputy returning officer.*

*(3) A poll clerk acting as a deputy returning officer is not required to take the oath of a deputy returning officer.*

*(4) Where a poll clerk acts as a deputy returning officer the poll clerk may appoint another qualified person as poll clerk in the poll clerk's place, and a copy of the appointment shall be attached to the poll book.*

*75.1(1) A returning officer may, if the returning officer considers it necessary, appoint in the prescribed form a qualified person as an information officer for each polling place.*

*(2) Each information officer shall, before assuming the information officer's duties, take the prescribed oath of office before the returning officer, election clerk, supervisory deputy returning officer or deputy returning officer or any person authorized to take oaths in Alberta, and no fee may be charged by the person administering the oath.*

*(3) The duties of an information officer are to assist electors, to respond to questions from electors and to maintain peace and order in the polling place and on the premises on which the polling place is located.*

*76(1) A returning officer may, if the returning officer considers it necessary, appoint in the prescribed form a qualified person as a supervisory deputy returning officer for any polling place containing 2 or more polling stations.*





*(2) Each supervisory deputy returning officer shall, before assuming the supervisory deputy returning officer's duties, take the prescribed oath of office before the returning officer or election clerk or any person authorized to take oaths in Alberta, and no charge may be made by the person administering the oath.*

*77 A supervisory deputy returning officer is responsible for*

- (a) providing overall supervision of 2 or more polling stations in the polling place,*
- (b) performing the duties of other election officers as required,*
- (c) preserving peace and order within the polling place, and*
- (d) giving assistance to electors.*

*77.1(1) A returning officer may, if the returning officer considers it necessary, appoint in the prescribed form a qualified person as a registration officer.*

*(2) Each registration officer shall, before assuming the registration officer's duties, take the prescribed oath of office before the returning officer or election clerk or any person authorized to take oaths in Alberta, and no charge may be made by the person administering the oath.*

*(4) The duties of a registration officer are*

- (a) to assist electors who are not on the list of electors in the completion of a declaration referred to in section 95, and*
- (b) to assist the supervisory deputy returning officer and the deputy returning officer in the performance of their duties.*

*77.2(1) Subject to sections 71(5), 73(5) and 75, this section applies to election officers who are requested or required by the Chief Electoral Officer, a returning officer or their supervisor to perform the duties of another election officer.*

*(2) Any election officer who is appointed to carry out duties in an electoral division may, at the request of his or her supervisor, be required to carry out the duties of any other officer at any polling place in the electoral division if that other election officer is unable to carry out his or her own duties.*

**(53) Section 78 is amended**

**(a) in subsection (2)(b)**

**(i) by striking out “a deputy returning officer” and substituting “an election officer who has been assigned to appoint interpreters”;**

**(ii) by striking out “during polling day”;**

**(b) by adding the following after subsection (2):**

**(3)** Despite section 106, an interpreter can accompany a voter into a voting booth or mark the voter’s ballot if the interpreter has taken the prescribed oath.

**(54) Section 79 is amended**

**(a) in subsection (1)**

**(i) by striking out “Each” and substituting “Subject to subsection (1.1), each”;**

**(ii) by striking out “not more than 4 electors as”;**

**(iii) in clause (a) by striking out “polling station” and substituting “voting station”;**

**(iv) by repealing clause (d) and substituting the following:**

**(d)** to be present at the place where declarations are taken under sections 100.2 to 100.5 while an elector

*(3) If an election officer is unable or unwilling to act or neglects the election officer's duties, the Chief Electoral Officer or returning officer may appoint another person in that election officer's place.*

*(4) Any election officer may perform the duties of another election officer, other than the duties of a returning officer or election clerk, if required or requested by the Chief Electoral Officer, returning officer or the election officer's supervisor.*

*(5) If an election officer is required to perform the duties of another election officer, the election officer is not required to take another oath.*

(53) Section 78 presently reads in part:

*(2) An interpreter shall be appointed*

*(a) by a returning officer, or*

*(b) by a deputy returning officer where the appointment is for one or more temporary periods during polling day.*

(54) Section 79 presently reads in part:

*79(1) Each candidate may appoint in the prescribed form not more than 4 electors as scrutineers*

*(a) to represent the candidate at each polling station,*

*(d) to be present at the registration officer's station while an elector is completing a declaration under section 95.*

*(3) The code of conduct must be posted in each polling place.*

*(5) A scrutineer shall comply with the code of conduct, and a scrutineer may be removed from the polling place if in the opinion of the supervisory deputy returning officer or deputy returning officer the scrutineer fails to comply with the code.*

is completing a declaration under one of those sections.

**(b) by adding the following after subsection (1):**

**(1.1)** For the purposes of subsection (1),

- (a) each candidate may appoint 4 scrutineers for each voting station for election day and 4 scrutineers for each voting station for each day of advance voting,
- (b) each candidate may appoint 4 scrutineers for each place where declarations are taken under sections 100.2 to 100.5 for election day and each day of advance voting,
- (c) only one scrutineer for a candidate may be present at a voting station at any one time, and
- (d) only one scrutineer for a candidate may be present at a place where declarations are taken under sections 100.2 to 100.5 at any one time.

**(1.2)** Each scrutineer is required to take the prescribed oath of secrecy administered by the returning officer or an election officer assigned to administer oaths.

**(c) in subsection (3) by striking out “polling place” and substituting “voting place”;**

**(d) in subsection (5)**

- (i) by striking out “polling place” and substituting “voting place”;**
- (ii) by striking out “the supervisory deputy returning officer or deputy returning officer” and substituting “an election officer appointed to that voting place”;**

**(e) by adding the following after subsection (5):**

**(6)** If a scrutineer is removed from a voting place pursuant to subsection (5), that scrutineer shall not be appointed or act as a scrutineer in any electoral division for that election, and the candidate may appoint a replacement scrutineer.



**(55) Section 80 is repealed.**

**(56) Section 83(2) is amended by adding “registered” after “leader of the”.**

**(57) Section 84(a) is amended by striking out “deputy returning officers” and substituting “election officers”.**

**(58) Section 85 is repealed.**

**(59) Section 86 is amended**

- (a) in subsection (1) by striking out “polling places or polling stations” and substituting “voting places or voting stations”;**
- (b) by repealing subsection (2) and substituting the following:**
  - (2)** If additional voting places or voting stations are established, the returning officer shall give notice of the additional voting places or voting stations, as the case may be, as soon as practicable to all candidates in the electoral division

(55) Section 80 presently reads:

*80 The Chief Electoral Officer shall provide all supplies not previously delivered to the returning officers in sufficient time to enable each of them to adequately and efficiently carry out the returning officer's duties.*

(56) Section 83(2) presently reads:

*(2) Notwithstanding subsection (1)(a), an abbreviated form of the name of the registered political party or recognizable initials representing that party as directed by the leader of the political party under section 7(1)(b) of the Election Finances and Contributions Disclosure Act may be used.*

(57) Section 84 presently reads in part:

*84 Each returning officer shall maintain a record of*

*(a) the quantity of ballots that are provided to the deputy returning officers in the electoral division, and*

(58) Section 85 presently reads:

*85 The returning officer shall provide to each deputy returning officer*

*(a) a copy of the list of electors for the deputy returning officer's particular polling subdivision for use on polling day, and*

*(b) a sufficient quantity of the necessary forms and materials to conduct the poll.*

(59) Section 86 presently reads:

*86(1) If the Chief Electoral Officer or a returning officer considers it necessary, the Chief Electoral Officer or the returning officer may establish additional polling places or polling stations for the convenience of the voters.*

*(2) If additional polling places or polling stations are provided, they shall be as near to the original polling places as possible, and the returning officer shall give immediate notice of the additional polling places or polling stations, as the case may be, to all candidates in the electoral division or their official agents by telephone, confirmed by written notice.*

or their official agents by telephone and shall confirm the same by written notice, which may be provided by email.

**(60) Section 87 is repealed.**

**(61) Section 88 is amended**

- (a) by repealing subsection (1) and substituting the following:**

**Voting place hours**

**88(1)** Subject to subsection (3), voting places shall be open for the purpose of voting during the following hours only:

- (a) for advance voting,
    - (i) in the case of the advance voting place established under section 98(1.1)(a), from 9 a.m. to 8 p.m. on each of the Tuesday, Wednesday, Thursday, Friday and Saturday of the full week preceding election day, and
    - (ii) in the case of additional voting places for advance voting established under section 98(1.1)(b), during the days and hours fixed by the returning officer during the period from 9 a.m. to 8 p.m.;
  - (b) for mobile voting held in accordance with section 120, on the days fixed by the returning officer, during the hours fixed by the returning officer;
  - (c) for voting on election day, from 9 a.m. to 8 p.m.
- (b) in subsections (2) and (3) by striking out “polling place” wherever it occurs and substituting “voting place”.**



(60) Section 87 presently reads:

*87 When there is more than one polling station located in a polling place and no supervisory deputy returning officer has been appointed, the returning officer may designate a deputy returning officer of one of the polling stations to maintain order within the polling place.*

(61) Section 88 presently reads:

*88(1) Subject to subsection (3), polling places shall be open for the purpose of voting during the following hours only:*

- (a) at an advance poll, from 9 a.m. to 8 p.m.;*
  - (b) at treatment centres and supportive living facilities where mobile polls are held in accordance with section 120, during the hours fixed by the returning officer;*
  - (b.1) at a special mobile poll held in accordance with section 125.1, during the hours fixed by the Chief Electoral Officer;*
  - (c) at the taking of the poll on polling day, from 9 a.m. to 8 p.m.*
- (2) No voting shall be permitted before the opening of a polling place.*
- (3) At closing time the entrance to each polling place shall be closed, and only those persons who are inside the polling place or in line to enter the polling place at that time shall be permitted to vote after the closing time.*

**(62) Section 89 is amended**

- (a) by repealing subsection (1) and substituting the following:**

**Opening of voting places**

**89(1)** Each election officer that has been appointed to a voting place shall attend at the voting place at least 60 minutes prior to the opening of the voting place.

- (b) in subsection (2)**

**(i) by striking out “polling place” and substituting “voting place”;**

**(ii) by striking out “poll” and substituting “vote”;**

- (c) by repealing subsection (3) and substituting the following:**

**(3)** If the supervisor of a voting place is not in attendance at the voting place when the voting place is to be open for the purpose of voting, any election officer who is present at the voting place may commence the voting process.

- (d) in subsection (4) by striking out “polling place” wherever it occurs and substituting “voting place”.**

**(63) Section 90 is amended**

- (a) in subsection (1) by striking out the portion preceding clause (a) and substituting the following:**

**Posting of bulletins**

**90(1)** Prior to the opening of a voting place, an election officer assigned to post bulletins shall post in a conspicuous location near each voting booth the following prescribed bulletins:

- (b) in subsection (2)**

**(i) by striking out “The deputy returning officer” and substituting “Each election officer appointed to the voting place”;**

**(ii) by striking out “polling hours” and substituting “voting hours”.**

(62) Section 89 presently reads:

*89(1) Each deputy returning officer shall attend at the polling place at least 60 minutes prior to the opening of the deputy returning officer's polling station.*

*(2) During the 30 minutes immediately prior to the opening of the polling place, candidates, official agents and scrutineers are entitled to inspect the ballots and examine all documents, materials and ballot boxes to be used in the taking of the poll.*

*(3) If the deputy returning officer and the poll clerk are not in attendance at the polling place at the time when the polling place is to be open for the purpose of voting, any election officer who is present at the polling place may commence the taking of the poll.*

*(4) If any election officer is not in attendance at the polling place at the time when the polling place is to be open for the purpose of voting, another election officer shall advise the returning officer of the absence.*

(63) Section 90 presently reads in part:

*90(1) Prior to the opening of a polling station, the deputy returning officer shall post in a conspicuous location at the polling station one copy of each of the following prescribed bulletins:*

*(2) The deputy returning officer shall ensure that the bulletins posted under subsection (1) remain posted during polling hours.*

**(64) Section 91 is amended**

**(a) in subsection (1)**

- (i) by striking out “polling station” and substituting “voting station”;**
- (ii) by striking out “polling booths” and substituting “voting booths”;**
- (iii) by striking out “polling booth” and substituting “voting booth”;**

**(b) in subsection (2)**

- (i) in the portion preceding clause (a) by striking out “polling booth” and substituting “voting booth”;**
- (ii) in clause (b) by striking out “polling hours” and substituting “voting hours”.**

**(65) Section 92 is amended**

**(a) in subsection (1)**

- (i) in the portion preceding clause (a) by striking out “polling place during polling hours” and substituting “voting place during voting hours”;**
- (ii) by repealing clauses (a), (a.1) and (b) and substituting the following:**
  - (a) the election officers appointed in respect of that voting place;**
- (iii) in clause (c) by striking out “or” and substituting “and”;**
- (iv) by repealing clause (e);**
- (v) in clause (f) by striking out “ballot box” and substituting “voting station”;**
- (vi) in clause (f.1) by striking out “registration officer’s station” and substituting “place where declarations are being taken under sections 100.2 to 100.5”;**

(64) Section 91 presently reads:

*91(1) Each polling station shall contain one or more polling booths arranged so that when a voter is in the polling booth the voter is screened from observation and may mark the voter's ballot without interference.*

*(2) In each polling booth there shall be provided for the use of voters marking their ballots*

*(a) a suitable table, desk or shelf, and*

*(b) a suitable marking instrument which shall be properly maintained during polling hours.*

(65) Section 92 presently reads in part:

*92(1) Only the following persons may remain in a polling place during polling hours:*

*(a) the supervisory deputy returning officer and deputy returning officers;*

*(a.1) the registration officers;*

*(b) the poll clerks;*

*(f) one scrutineer per candidate for each ballot box;*

*(f.1) one scrutineer per candidate at each registration officer's station;*

*(i) the information officers;*

*(1.1) Students may briefly visit a polling place in their school for educational purposes with the consent of the supervisory deputy returning officer or a deputy returning officer.*

*(1.2) Members of the media may briefly visit a polling place after receiving confirmation from the supervisory deputy returning officer*

(vii) **by repealing clause (i);**

**(b) in subsection (1.1)**

(i) **by striking out** “polling place” **and substituting** “voting place”;

(ii) **by striking out** “supervisory deputy returning officer or a deputy returning officer” **and substituting** “supervisor of the voting place”;

**(c) in subsection (1.2)**

(i) **by striking out** “polling place” **wherever it occurs and substituting** “voting place”;

(ii) **by striking out** “supervisory deputy returning officer or a deputy returning officer” **and substituting** “supervisor of the voting place”;

**(d) in subsection (2) by striking out** “polling place during polling hours” **and substituting** “voting place during voting hours”.

**(66) Section 94 is amended**

**(a) in subsection (1)**

(i) **in clause (a) by striking out** “polling places” **and substituting** “voting places”;

(ii) **in clause (c)**

(A) **in subclauses (i) and (ii) by striking out** “polling place” **wherever it occurs and substituting** “voting place”;

(B) **in subclause (iv) by striking out** “a poll” **and substituting** “voting”;

**(b) in subsection (3) by striking out** “polling place on polling day” **and substituting** “voting place on election day, an advance voting place or a mobile voting place”.

*or a deputy returning officer that the electors in the polling place all agree to the visit.*

*(2) Nothing in this Act restricts a candidate from briefly visiting a polling place during polling hours.*

(66) Section 94 presently reads in part:

*94(1) Every election officer, from the time that officer takes that officer's oath of office until completion of the duties of that office,*

*(a) is charged with preserving the peace at polling places,*

*(c) may, where a person is contravening subsection (3),*

*(i) request the assistance of a justice of the peace, a peace officer or any person present to aid that election officer in maintaining peace and order at the polling place,*

*(ii) order any person contravening subsection (3) to leave the polling place and the premises on which the polling place is located,*

*(iv) cause an arrested person to be imprisoned on that officer's written order until a time not later than the close of a poll.*

*(3) No person shall in any manner*

**(67) Section 95 is repealed.**



(a) *create a disturbance, or*

(b) *disrupt the proceedings*

*at a polling place on polling day.*

(67) Section 95 presently reads:

*95(1) An elector who is otherwise eligible to vote but whose name does not appear on the list of electors for the polling subdivision in which the elector is ordinarily resident may vote if*

(a) *the elector produces to the registration officer or deputy returning officer the following proof of his or her identity and current residence:*

(i) *one piece of identification issued by a Canadian government, whether federal, provincial or local, or an agency of that government, that contains a photograph of the elector and his or her name and current address, or*

(ii) *2 pieces of identification authorized by the Chief Electoral Officer each of which establish the elector's name and at least one of which establishes the elector's current address,*

*and*

(b) *the elector signs a declaration before the registration officer or deputy returning officer stating that the elector*

(i) *qualifies as an elector, and*

(ii) *ordinarily resides in that polling subdivision.*

*(2) An elector may instead prove his or her identity and residence by signing a declaration if he or she is accompanied by an elector whose name appears on the list of electors for the same polling subdivision and that elector*

(a) *provides to the registration officer or deputy returning officer the piece or pieces of identification referred to in subsection (1)(a), and*

(b) *vouches for him or her by signing a declaration.*

**(68) Section 96 is amended**

**(a) in subsection (1)**

- (i) by repealing the portion preceding clause (a) and substituting the following:**

**Voter assistance**

**96(1)** An election officer assigned to provide voter assistance, at the request of a voter who is unable to vote in the usual manner, shall

- (ii) in clause (a) by striking out “the poll clerk” and substituting “a 2nd election officer”;**

**(b) in subsection (1.1)**

- (i) by striking out “polling place” wherever it occurs and substituting “voting place”;**
- (ii) by striking out “the poll clerk, and the other election officers the deputy returning officer considers necessary,” and substituting “at least 2 election officers, including at least one who has been assigned to provide voter assistance at the request of a voter,”;**

*(3) The registration officer or deputy returning officer shall indicate on the declaration referred to in subsections (1) and (2) the nature of the identification accepted.*

*(4) An elector who has been vouched for at an election may not vouch for another elector at that election.*

*(4.1) Scrutineers may not vouch for an elector.*

*(5) The Chief Electoral Officer shall publish each year, and within 3 days after the issue of a writ, in a manner that he or she considers appropriate, a notice setting out the types of identification that are authorized for the purpose of subsection (1)(a)(ii).*

*(6) The deputy returning officer shall, after receiving a signed declaration under subsection (1)(b) or (2), enter the elector's name and address on the list of electors and enter in the poll book in the appropriate column a check mark or other annotation indicating that the voter signed a declaration or was vouched for, as the case may be.*

**(68) Section 96 presently reads in part:**

*96(1) The deputy returning officer, at the request of a voter who is unable to vote in the usual manner, shall*

*(a) assist the voter by marking the voter's ballot in the manner directed by the voter in the presence of the poll clerk, and*

*(1.1) Where a voter is unable to access a polling place because of the voter's physical disability, the poll clerk, and the other election officers the deputy returning officer considers necessary, shall bring the ballot box to some other place on the site on which the polling place is located.*

*(1.2) Before bringing the ballot box to some other place under subsection (1.1), the poll clerk shall advise the scrutineers at the polling place.*

*(3) The deputy returning officer, in the case of a voter referred to in subsection (1), shall*

*(a) if the voter is accompanied by a friend,*

*(i) permit the friend to accompany the voter into a polling booth to mark the voter's ballot, and*

**(c) by repealing subsection (1.2) and substituting the following:**

**(1.2)** Before the ballot box is brought to some other place on the site under subsection (1.1), one of the election officers bringing the ballot box to some other place on the site shall advise the scrutineers at the voting place.

**(d) in subsection (3)**

**(i) by striking out** “The deputy returning officer, in the case of a voter referred to in subsection (1),” **and substituting** “The election officer who is assisting the voter under subsection (1)”;

**(ii) in clause (a)(i) by striking out** “polling booth” **and substituting** “voting booth”;

**(iii) in clause (b) by striking out** “the deputy returning officer” **and substituting** “the election officer”;

**(e) by repealing subsection (4) and substituting the following:**

**(4)** The friend of a voter, if assisting the voter to vote, shall take the prescribed oath before assisting the voter referred to in subsection (1) to vote.

**(f) in subsection (5) by striking out** “the deputy returning officer or poll clerk shall enter in the poll book” **and substituting** “an election officer assigned to maintain the voting record shall enter in the voting record”.

**(69) Section 97 is repealed and the following is substituted:**

**List of electors for advance voting**

**97** The Chief Electoral Officer shall provide each election officer appointed to an advance voting place with a copy of the list of electors for use during advance voting.

**(70) Section 98 is amended**

**(a) by repealing subsection (1);**

*or*

*(b) if the voter is not accompanied by a friend or does not wish to be assisted by the deputy returning officer,*

*(i) provide the voter with a Voter Template in the prescribed form, and*

*(ii) instruct the voter in its use.*

*(4) A voter referred to in subsection (1) and the friend of such a voter, if assisting the voter to vote, shall both take the prescribed oath before voting.*

*(5) When a ballot has been marked pursuant to this section, the deputy returning officer or poll clerk shall enter in the poll book opposite the name of the voter and in the appropriate column either “voter assistance” or “template”, as the case may be.*

(69) Section 97 presently reads:

*97 The returning officer shall provide a copy of the list of electors for all assigned polling subdivisions in the electoral division for use by the deputy returning officer at the advance poll.*

(70) Section 98 presently reads in part:

*98(1) The returning officer shall establish at least one and no more than 4 polling places to enable electors to vote in advance at an election.*

**(b) by repealing subsection (1.1) and substituting the following:**

**(1.1)** The returning officer, in consultation with the Chief Electoral Officer,

- (a) shall establish at least one voting place for the returning officer's electoral division to enable electors to vote in advance at an election, which shall be open from 9 a.m. to 8 p.m. on each of the Tuesday, Wednesday, Thursday, Friday and Saturday of the full week preceding election day, and
- (b) may establish additional voting places for advance voting.

**(1.2)** A returning officer who establishes additional voting places in accordance with subsection (1.1), in consultation with the Chief Electoral Officer, shall fix the hours on any one or more days fixed for advance voting when the voting places will operate.

**(1.3)** A returning officer shall ensure that all advance voting places meet safety, security and other standards established by the Chief Electoral Officer for voting places.

**(c) in subsection (2) by striking out "poll" and substituting "voting place";**

**(d) by adding the following after subsection (2):**

**(2.1)** Where an advance voting place has been established, the Chief Electoral Officer may decide that any elector may attend to vote at that advance voting place.

**(2.2)** If the Chief Electoral Officer has decided that any elector may attend to vote at an advance voting place, an elector attending to vote at that advance voting place shall be provided with the ballot for the electoral division of the elector's ordinary residence.

**(2.3)** An elector at an advance voting place may only vote for a candidate that is a candidate in the electoral division where the elector is ordinarily resident.

*(1.1) Notwithstanding subsection (1), the Chief Electoral Officer may require a returning officer to establish more than 4 polling places if the Chief Electoral Officer considers it necessary.*

*(2) The Chief Electoral Officer shall ensure that the distance that an elector would have to travel to attend at an advance poll is no greater than 100 km, unless the cost to do so in any particular situation would be unreasonable in the circumstances.*

*(3) The polling places for advance polling shall be open from 9 a.m. to 8 p.m. on each of the Tuesday, Wednesday, Thursday, Friday and Saturday of the full week preceding polling day.*

*(4) The provisions respecting the conduct of an election on polling day and related matters apply, with all necessary modifications, to the holding of an advance poll.*

*(5) After the opening of a polling place for an advance poll the deputy returning officer shall take all reasonable precautions to ensure that no other person except the poll clerk has access to the ballot box.*

*(6) Each day at the close of the polling place for an advance poll the ballot box*

*(a) shall be sealed by the deputy returning officer and poll clerk, and*

*so that it cannot be opened and no ballots can be deposited without breaking those seals.*

*(6.1) If electronic documents are used for the purposes of an advance poll, each day after the close of a polling place for an advance poll, a copy of a record of electors who voted that day shall be made in printed and electronic form.*

*(6.3) The record referred to in subsection (6.1) shall include each elector's electoral division, polling subdivision number and sequence number assigned to the elector by the Chief Electoral Officer or an election officer and any other information the Chief Electoral Officer considers appropriate.*

*(7) Sealing material applied to a ballot box shall not be broken from the time it is applied until the close of the polling places on polling day, except as may be necessary at the opening of the polling*

- (e) **by repealing subsection (3);**
- (f) **in subsection (4)**
  - (i) **by striking out “polling day” and substituting “election day”;**
  - (ii) **by striking out “the holding of an advance poll” and substituting “advance voting”;**
- (g) **by repealing subsection (5) and substituting the following:**

(5) After the opening of a voting place for advance voting, each election officer appointed to the voting place shall take all reasonable precautions to ensure that no other persons have access to the ballot box.
- (h) **in subsection (6)**
  - (i) **in the portion preceding clause (a) by striking out “polling place for an advance poll” and substituting “voting place for advance voting”;**
  - (ii) **by repealing clause (a) and substituting the following:**
    - (a) shall be sealed and initialed by an election officer assigned to maintain the security of ballot boxes and at least one other election officer, and
- (i) **in subsection (6.1) by striking out “an advance poll, each day after the close of a polling place for an advance poll” and substituting “advance voting, each day after the close of a voting place for advance voting”;**
- (j) **in subsection (6.3) by striking out “shall include each elector’s electoral division, polling subdivision number and sequence number assigned to the elector by the Chief Electoral Officer or an election officer” and substituting “may include each elector’s permanent unique identifier number assigned to the elector by the Chief Electoral Officer”;**



*place for the advance poll on the Wednesday, Thursday, Friday and Saturday to permit the deposit of ballots.*

*(8) At the close of the polling place for the advance poll on the final day the deputy returning officer shall, after the seal has been applied pursuant to subsection (6), take charge of and safely keep the ballot box until the close of polls on polling day, when the ballots shall be counted in accordance with section 111.*

**(k) in subsection (7)**

- (i) by striking out “polling places on polling day” and substituting “voting places on election day”;**
- (ii) by striking out “polling place for the advance poll” and substituting “voting place for advance voting”;**

**(l) in subsection (8)**

- (i) by striking out “polling place for the advance poll” and substituting “voting place for advance voting”;**
- (ii) by striking out “deputy returning officer” and substituting “election officer designated by the returning officer”;**
- (iii) by striking out “close of polls on polling day, when the ballots shall be counted in accordance with section 111” and substituting “close of voting on election day or return the ballot box to the returning officer as directed by the returning officer”.**

**(71) Section 99 is repealed.**

(71) Section 99 presently reads:

*99(1) When a person who is an elector attends to vote at the advance poll, the deputy returning officer shall*

- (a) if the person's name appears on a list of electors, enter opposite the name of that person on the list of electors in the appropriate column a check mark or other annotation indicating that the voter voted in the advance poll, or*
- (b) if the person's name does not appear on any list of electors,*
  - (i) require the person to comply with section 95(1) or (2), and*
  - (ii) enter the person's name and address on the list of electors and enter in the appropriate column in the poll book a check mark or other annotation indicating that the voter signed a declaration in accordance with section 95(1) or signed a declaration and was vouched for in accordance with section 95(2), and voted in the advance poll.*

**(72) Section 100 is repealed and the following is substituted:**

**Voting at a voting station**

**100(1)** An elector may vote at a voting station if the requirements in section 100.1, 100.2, 100.3, 100.4 or 100.5 have been met.

**(2)** For the purposes of sections 100.1, 100.2, 100.3, 100.4 and 100.5, “identification” means

- (a) one piece of identification issued by a Canadian government, whether federal, provincial or local, or an agency of that government, that contains a photograph of the elector and the elector’s name and current address, or
- (b) 2 pieces of identification authorized by the Chief Electoral Officer, each of which establishes the elector’s name and at least one of which establishes the elector’s current address.

**(3)** The Chief Electoral Officer shall publish each year, and within 3 days after the issue of a writ, in a manner that the Chief Electoral Officer considers appropriate, a notice setting out the types of identification that are authorized for the purpose of subsection (2)(b).

**(73) The following is added after section 100:**

**Elector with matching identification and address**

**100.1** Where

- (a) the name of an elector appears on the voting record for the voting area,
- (b) the elector provides identification, and
- (c) the name and address on the identification match the name and address on the voting record for the voting area,

*(2) The deputy returning officer shall provide to each elector recorded in the poll book a prefolded ballot containing the deputy returning officer's initials in the prescribed place on its back so that when the ballot is folded the initials can be seen without unfolding it.*

(72) Section 100 presently reads:

*100(1) Each elector who presents himself or herself to vote on polling day shall give his or her name and address to the deputy returning officer and if*

*(a) the name of that elector appears on the list of electors for the polling subdivision, or*

*(b) the elector complies with section 95(1) or (2),*

*the poll clerk shall strike the elector's name off the list of electors and enter the name and address in the poll book if it is not already there, and for each name so recorded the poll clerk shall enter a number in consecutive sequence opposite it.*

*(2) The deputy returning officer shall provide to each elector recorded in the poll book a prefolded ballot*

*(a) containing the deputy returning officer's initials in the prescribed place on its back so that when the ballot is folded the initials can be seen without unfolding it, and*

*(b) that has a counterfoil attached to it on the back of which the deputy returning officer has inserted a number corresponding to the number recorded next to the elector's name in the poll book.*

(73) Elector with matching identification and address; elector with identification but address that does not match voting record; elector on the voting record but without identification; elector with identification but not on voting record; elector without identification not on voting record; declarations and vouching; provision of ballot.

an election officer assigned to maintain the voting record shall strike the elector's name off the voting record.

**Elector with identification but address that does not match voting record**

**100.2** Where

- (a) the name of an elector appears on the voting record for the voting area,
- (b) the elector provides identification and the address on the identification does not match the address on the voting record for the voting area, and
- (c) the elector confirms the elector's identity and current residential address by signing a declaration,

an election officer assigned to maintain the voting record shall record the change of address in the voting record and enter in the voting record in the appropriate place a check mark or other annotation indicating that the elector has signed a declaration.

**Elector on the voting record but without identification**

**100.3(1)** Where

- (a) the name of an elector appears on the voting record for the voting area,
  - (b) the elector does not provide identification,
  - (c) the elector is accompanied by another elector whose name appears on the voting record for the same voting area and that other elector
    - (i) is eligible to vouch for the elector,
    - (ii) provides their identification to an election officer assigned to administer voting, and
    - (iii) vouches for the elector by signing a declaration,
- and
- (d) the elector confirms the elector's identity and current residence by signing a declaration,



an election officer assigned to maintain the voting record shall strike the elector's name off the voting record.

(2) After receiving signed declarations under subsection (1)(c) and (d), an election officer assigned to maintain the voting record shall enter in the voting record in the appropriate place a check mark or other annotation indicating that the elector signed a declaration and was vouched for.

**Elector with identification but not on voting record**

**100.4** Where

- (a) the name of an elector does not appear on the voting record for the voting area in which the elector is ordinarily resident,
- (b) the elector provides identification to confirm the elector's identity and current residential address, and
- (c) the elector signs a declaration before an election officer assigned to administer voting stating that the elector qualifies as an elector and ordinarily resides in the voting area,

an election officer assigned to maintain the voting record shall enter the elector's name and current address in the voting record and enter in the voting record in the appropriate place a check mark or other annotation indicating that the elector signed a declaration.

**Elector without identification not on voting record**

**100.5** Where

- (a) the name of an elector does not appear on the voting record for the voting area in which the elector is ordinarily resident,
- (b) the elector does not provide identification,
- (c) the elector is accompanied by another elector whose name appears on the voting record for the same voting area and that other elector
  - (i) is eligible to vouch for the elector,





- (ii) provides their own identification to an election officer assigned to administer voting, and
  - (iii) vouches for the elector by signing a declaration,
- and
- (d) the elector confirms the elector's identity and current address by signing a declaration,

an election officer assigned to maintain the voting record shall enter the elector's name and current address in the voting record and enter in the voting record in the appropriate place a check mark or other annotation indicating that the elector signed a declaration and was vouched for.

#### **Declarations and vouching**

**100.6(1)** An election officer taking a declaration under section 100.2, 100.3, 100.4 or 100.5 shall indicate on the declaration the nature of the identification accepted and that, in the case of section 100.3 or 100.5, the elector was vouched for by another elector in the same voting area.

**(2)** An elector who has been vouched for at an election may not vouch for another elector at that election.

**(3)** A scrutineer may not vouch for an elector.

#### **Provision of ballot**

**100.7(1)** An election officer assigned to administer voting shall provide to each elector recorded in the voting record a pre-folded ballot containing the election officer's initials in the prescribed place on its back so that when the ballot is folded the initials can be seen without unfolding it.

**(2)** On the issuance of a ballot to the elector, an election officer assigned to maintain the voting record shall mark the elector as having voted in the voting record.



**(74) Section 101 is amended**

**(a) in subsection (1)**

- (i) by striking out** “The deputy returning officer” **and substituting** “An election officer assigned to administer voting”;
- (ii) in clause (a) by striking out** “polling booths” **and substituting** “voting booths”;
- (iii) in clause (c) by striking out** “the deputy returning officer” **and substituting** “an election officer assigned to assist electors in depositing their ballots in ballot boxes”;

**(b) by repealing subsection (2) and substituting the following:**

**(2)** The election officer shall, without unfolding the ballot and in full view of the voter and all present, ascertain by examining the initials that it is a ballot issued by an election officer assigned to administer voting and return the ballot to the voter so the voter may place the ballot in the ballot box.

**(c) in subsection (3) by striking out** “deputy returning officer” **and substituting** “election officer”.

**(75) Section 102 is amended**

**(a) in subsection (1) by striking out** “the deputy returning officer” **and substituting** “the election officer who issued the ballot to the voter under section 100.7”;

**(b) by repealing subsection (2) and substituting the following:**

**(2)** The election officer, on receiving the ballot under subsection (1), shall immediately write the word “spoiled” on the ballot and place it in the required envelope to be sent to the returning officer, and the election officer shall annotate the voting record accordingly.

(74) Section 101 presently reads in part:

*101(1) The deputy returning officer shall, without inquiring or ascertaining for whom the voter intends to vote, instruct the voter to*

*(a) proceed to one of the polling booths and there, with the marker provided, mark his or her ballot by placing an "X" in the white space opposite the name of the candidate of his or her choice,*

*(c) hand the folded ballot to the deputy returning officer.*

*(2) The deputy returning officer shall, without unfolding the ballot and in full view of the voter and all present, ascertain by examining the initials that it is the same ballot the deputy returning officer provided to the voter, and return the ballot to the voter so that the voter may place the ballot in the ballot box.*

*(3) Notwithstanding subsection (2), on being requested by the voter, the deputy returning officer shall place the ballot in the ballot box.*

(75) Section 102 presently reads:

*102(1) If a voter has dealt with the voter's ballot in a manner that may render its use inappropriate, the voter may surrender the ballot to the deputy returning officer and on surrendering it obtain a new ballot.*

*(2) The deputy returning officer shall immediately write the word "spoiled" on the previous ballot returned to the deputy returning officer under subsection (1) and place it in the required envelope to be sent to the returning officer, and the poll clerk shall annotate the poll book accordingly.*

**(76) Section 103 is repealed.**

**(77) Section 104 is amended**

**(a) in subsection (1)**

**(i) by striking out “A deputy returning officer” and substituting “An election officer assigned to administer voting”;**

**(ii) in clause (a) by striking out “the deputy returning officer” and substituting “the election officer”;**

**(iii) by repealing clause (b) and substituting the following:**

**(b) the election officer is requested to do so by a scrutineer and the election officer is of the opinion that the request is made in good faith.**

**(b) by repealing subsection (2);**

**(c) in subsection (3) by striking out “the poll clerk shall annotate the poll book” and substituting “an election officer assigned to maintain the voting record shall annotate the voting record”;**

**(d) in subsection (4)(c) by striking out “polling place” and substituting “voting place”;**

**(e) in subsection (5) by striking out “the declaration under section 95” and substituting “a declaration under section 100.2, 100.3, 100.4 or 100.5”.**

(76) Section 103 presently reads:

*103 Immediately after a voter's ballot is deposited in the ballot box the poll clerk shall enter in the poll book opposite the name of the voter and in the appropriate column a check mark or other annotation indicating that the voter has voted.*

(77) Section 104 presently reads in part:

*104(1) A deputy returning officer shall administer the declaration in the prescribed form to a person if*

- (a) the deputy returning officer doubts the eligibility of that person to vote, or*
- (b) the deputy returning officer is requested to do so by a candidate, official agent or scrutineer and the deputy returning officer is of the opinion that the request is made in good faith.*

*(2) An election officer, candidate, official agent or scrutineer who presents himself or herself for the purpose of voting at the polling subdivision in which that person ordinarily resides may be required by a candidate, official agent or scrutineer before that person votes to sign the declaration before the deputy returning officer or poll clerk located at that polling subdivision.*

*(3) If a voter*

- (a) has signed a declaration for the purpose of voting, or*
- (b) has refused to sign a declaration that the voter is required to complete for the purpose of voting,*

*the poll clerk shall annotate the poll book accordingly.*

*(4) A person who refuses to sign the declaration when required to do so*

- (c) shall forthwith leave the polling place.*

*(5) An elector who has signed the declaration under section 95 is not required to sign a declaration under this section.*

**(78) Section 105 is amended**

- (a) by repealing subsection (1)(b) and substituting the following:**
  - (b) on a day that voting is to occur at a voting place, attempt to obtain any information at the voting place or within 100 metres of the building used for the voting place regarding which candidate a voter has voted for, is voting for or is about to vote for, or
- (b) in subsection (2) by striking out “polling place” and substituting “voting place”.**

**(79) Section 106 is amended**

- (a) in subsection (1) by striking out “polling booth” wherever it occurs and substituting “voting booth”;**
- (b) in subsection (4)(b) by striking out “polling place” and substituting “voting place”.**

**(80) Section 107 is amended**

- (a) in subsection (1) by striking out “polling place” and substituting “voting place”;**
- (b) in subsection (2)**
  - (i) by striking out “the deputy returning officer” and substituting “an election officer assigned to maintain the voting record”;**
  - (ii) by striking out “poll book” and substituting “voting record”;**
  - (iii) by striking out “polling place” and substituting “voting place”.**



(78) Section 105 presently reads in part:

*105(1) No person may*

*(b) attempt to obtain any information at a polling place regarding which candidate a voter has voted for, is voting for or is about to vote for, or*

*(2) No person may communicate any information obtained at a polling place regarding which candidate a voter has voted for, is voting for or is about to vote for.*

(79) Section 106 presently reads in part:

*106(1) While a voter is in a polling booth for the purpose of marking the voter's ballot, no other person may, except as permitted in section 96, enter the polling booth or be in a position from which the person can see for whom the voter marks the voter's ballot.*

*(4) A voter shall*

*(b) leave the polling place as soon as the voter's ballot has been placed in the ballot box.*

(80) Section 107 presently reads in part:

*107(1) A person who receives a ballot shall not take it out of the polling place.*

*(2) If a person contravenes subsection (1), the deputy returning officer shall make an entry in the poll book in the appropriate column to the effect that the person received a ballot but took it out of the polling place.*

**(81) Section 107.1 is amended**

- (a) in subsection (1) by striking out “deputy returning officer” and substituting “election officer who issued the ballot to the voter under section 100.7”;**
- (b) in subsection (2)(b) by striking out “polling place” and substituting “voting place”;**
- (c) by repealing subsection (3).**

**(82) Section 108 is amended**

- (a) in subsection (1) by striking out “the deputy returning officer” and substituting “an election officer assigned to administer voting”;**
- (b) in subsection (2) by striking out “poll book” and substituting “voting record”.**

**(83) Section 111 is amended**

- (a) in subsection (1) by striking out “the poll, the deputy returning officer” and substituting “each voting place on election day, each election officer assigned to administer voting”;**
- (b) in subsection (2)**
  - (i) by striking out “On complying with subsection (1), the deputy returning officer” and substituting “The election officer”;**
  - (ii) in clause (a) by striking out “list of electors” and substituting “voting record”;**
  - (iii) in clause (b) by striking out “poll book” and substituting “voting record”;**

(81) Section 107.1 presently reads in part:

*107.1(1) If a person returns the person's ballot indicating that the person does not wish to mark the ballot, the deputy returning officer shall immediately write the word "declined" on the ballot and place it in the required envelope to be sent to the returning officer.*

*(2) A person who returns a ballot under subsection (1)*

*(b) shall forthwith leave the polling place.*

*(3) If a person declines to vote, the poll clerk shall annotate the poll book accordingly.*

(82) Section 108 presently reads:

*108(1) If a person representing that person to be an elector applies for a ballot after another person has voted in the name of that elector, the person is entitled to receive a ballot and to vote after taking the prescribed oath and establishing the person's identity to the satisfaction of the deputy returning officer.*

*(2) The name of the voter shall be entered in the poll book and a note shall be made stating the fact that the voter voted after taking the oath, any objection made, and the name of any candidate on whose behalf an objection was made.*

(83) Section 111 presently reads in part:

*111(1) After the closing of the poll, the deputy returning officer shall immediately count the number of spoiled and declined ballots and record the total on the outside of the envelope containing those ballots.*

*(2) On complying with subsection (1), the deputy returning officer shall count*

*(b) the number of voters recorded in the poll book as having voted,*

*and shall draw a line immediately under the last name in the poll book and affix the deputy returning officer's initials.*

*(3) On complying with subsection (2), the deputy returning officer shall, in the presence of the poll clerk and those candidates, official*

- (iv) **in the portion following clause (b) by striking out** “poll book and affix the deputy returning officer’s” **and substituting** “voting record and affix the election officer’s”;
- (c) **by repealing subsections (3) to (6) and substituting the following:**
  - (3) Once subsections (1) and (2) are complied with, at least 2 election officers assigned to perform counts, or assist in counts, of ballots, in the presence of those candidates, official agents and scrutineers entitled to be present, shall open each ballot box and proceed with a count of the votes, using the designated tally sheets.
  - (3.1) In completing the count of the votes for each ballot box, one of the election officers shall be responsible for the count and the other election officer shall be responsible for entering the count on the tally sheets.
  - (4) The election officer who is responsible for entering the count on the tally sheets shall provide to any person present who wishes to keep a tally a sufficient number of tally sheets.
  - (5) A ballot cast at a voting station shall only be counted if it clearly indicates the voter’s intention to vote for one particular candidate.
  - (5.1) A ballot cast as a Special Ballot shall only be counted if it clearly indicates the voter’s intention to vote for one particular candidate or one particular registered political party.
  - (5.2) A ballot shall not be counted if it
    - (a) does not have on its back the name of the electoral division and year of the election,
    - (b) contains a vote for a candidate who has withdrawn,
    - (c) in the case of a Special Ballot,
      - (i) does not have copies of the prescribed identification document or documents included in the outer envelope, or

*agents and scrutineers entitled to be present, open the ballot box and proceed with a count of the votes, using tally sheets.*

*(4) The deputy returning officer shall provide to the poll clerk and any other person present who wishes to keep a tally a sufficient number of tally sheets.*

*(5) In counting the votes, the deputy returning officer shall reject and place in a rejected ballot envelope any ballot that*

*(a) does not have on its back the name of the electoral division and year of the election,*

*(b) does not indicate a vote for any candidate,*

*(c) in the case of a vote by Special Ballot, does not indicate a vote for any candidate or registered political party, as the case may be,*

*(d) contains votes for more than one candidate,*

*(e) in the case of a vote by Special Ballot, contains votes for more than one candidate or registered political party, as the case may be,*

*(f) is so marked that it is uncertain for which candidate the vote was cast,*

*(g) in the case of a vote by Special Ballot, is so marked that it is uncertain for which candidate or registered political party, as the case may be, the vote was cast,*

*(h) contains a vote for a candidate who has withdrawn,*

*(h.1) in the case of a Special Ballot,*

*(i) does not have the prescribed identification document or documents required under section 118(2)(c.1) included in the certificate envelope, or*

*(ii) is treated as a rejected ballot under section 118(5)(b),*

*(i) in the case of a vote by Special Ballot, contains a vote for a candidate who has withdrawn or for a registered political party that does not have a candidate for the electoral division, or*

(ii) is treated as a rejected ballot under section 118(5)(b),

or

(d) contains any writing or mark enabling the voter to be readily identified.

**(6)** An election officer shall not decline to count a ballot solely for the reason of any writing, number or mark made or omitted by the election officer.

**(d) in subsection (8) by striking out** “deputy returning officer shall make a note in the poll book” **and substituting** “election officer responsible for entering the count on the tally sheets shall make a note in the voting record”;

**(e) in subsections (9) and (10) by striking out** “deputy returning officer” **and substituting** “election officer responsible for the count”;

**(f) in subsection (11)**

**(i) in the portion preceding clause (a) by adding** “and are present in the voting place at the close of the voting” **after** “secrecy”;

**(ii) in clause (b) by striking out** “other”;

**(iii) in clause (d) by striking out** “and visiting officials from other electoral jurisdictions” **and substituting** “, visiting officials from other electoral jurisdictions and other persons”;

**(iv) in clause (g) by striking out** “ballot box” **and substituting** “voting station”.

**(84) Section 112 is amended**

**(a) by striking out** “deputy returning officer” **and substituting** “election officer responsible for the count”;

**(b) by repealing clause (a) and substituting the following:**

**(a)** complete as many Statements of Vote as necessary to comply with clauses (c), (h)(iv) and (j), each of which

- (j) *contains any writing or mark enabling the voter to be readily identified.*
- (6) *Notwithstanding subsection (5)(a) to (i), a ballot shall not be rejected*
  - (a) *by reason of any writing, number or mark made or omitted by the deputy returning officer, or*
  - (b) *when the vote, though incorrectly made on the ballot, clearly indicates the voter's intention to vote for one particular candidate.*
- (8) *The deputy returning officer shall make a note in the poll book of every objection to a ballot and the name of any candidate on whose behalf an objection was made.*
- (9) *Each objection shall be numbered and a corresponding number placed on the back of the ballot that is the subject of the objection and initialled by the deputy returning officer.*
- (10) *The deputy returning officer shall decide any question arising out of an objection.*
- (11) *Only the following persons may be present during the unofficial count of ballots and then only if they have taken the prescribed oath of secrecy:*
  - (b) *any other election officer authorized by the returning officer;*
  - (d) *the Chief Electoral Officer, members of the Chief Electoral Officer's office staff designated by the Chief Electoral Officer and visiting officials from other electoral jurisdictions authorized by the Chief Electoral Officer;*
  - (g) *one scrutineer per candidate for each ballot box.*
- (84) Section 112 presently reads in part:
  - 112 *The deputy returning officer shall, at the conclusion of the count,*
    - (a) *complete a Statement of Poll in sufficient numbers that shall be signed by the deputy returning officer, the poll clerk and any person present who wishes to sign the statement of the poll,*

shall be signed by the election officers that completed the count of votes and any person present who wishes to sign the Statements of Vote,

**(c) in clause (c) by striking out “Poll” and substituting “Vote”;**

**(d) by repealing clause (d) and substituting the following:**

(d) administer the prescribed oath to any election officer involved in the count,

**(e) in clauses (f) and (g) by striking out “deputy returning officer” and substituting “election officer responsible for the count”;**

**(f) in clause (h)**

**(i) by repealing subclause (i);**

**(ii) in subclause (iii) by striking out “poll book” and substituting “voting record”;**

**(iii) in subclause (iv) by striking out “Poll” and substituting “Vote”;**

**(iv) in subclause (v) by striking out “poll” and substituting “voting place”;**

**(v) in the portion following subclause (v) by striking out “deputy returning officer” and substituting “election officer responsible for the count”;**

**(g) in clause (j) by striking out “deputy returning officer’s copy of the Statement of Poll” and substituting “election officer responsible for the count’s copy of the Statement of Vote”.**

**(85) Section 113 is amended**

**(a) in subsection (1) by striking out “After the closing of the polling places on polling day, the deputy returning officer of each advance poll and the deputy returning officer’s poll clerk shall attend with the ballot box at a place designated by the returning officer” and substituting “After the**



- (c) *provide one copy of the Statement of Poll to each candidate or to the candidate's official agent or scrutineer present,*
- (d) *administer the poll clerk's oath and take the deputy returning officer's oath in the prescribed forms,*
- (f) *place the envelopes containing the ballots in one large envelope that the deputy returning officer shall then seal and endorse with an indication of its contents, and any scrutineer present may, if the scrutineer so wishes, write the scrutineer's signature across the envelope and its flap,*
- (g) *place the rejected ballots and the unused ballots in separate envelopes each of which the deputy returning officer shall then seal and endorse with an indication of its contents, and any scrutineer present may, if the scrutineer so wishes, write the scrutineer's signature across the envelope and its flap,*
- (h) *ensure that*
  - (i) *the list of electors,*
  - (iii) *the poll book,*
  - (iv) *the original copy of the Statement of Poll, and*
  - (v) *all other documents relating to the operation of the poll,**are placed in the ballot box that the deputy returning officer shall immediately seal,*
- (j) *retain the deputy returning officer's copy of the Statement of Poll until the returning officer completes the official count.*

(85) Section 113 presently reads:

*113(1) After the closing of the polling places on polling day, the deputy returning officer of each advance poll and the deputy returning officer's poll clerk shall attend with the ballot box at a place designated by the returning officer and then, in the presence of any of the candidates or their official agents or scrutineers who*

closing of the voting places on election day, the election officers who have been assigned to perform counts, or assist in counts, of ballots from an advance voting place shall attend at a place designated by the returning officer”;

- (b) in subsection (2) by striking out “advance poll” and substituting “advance voting place”;**
- (c) by repealing subsections (3) and (4).**

**(86) Section 114(1) and (2) are amended by striking out “deputy returning officer” wherever it occurs and substituting “election officer responsible for the count”.**

**(87) Section 116 is amended**

- (a) in subsection (1)**
  - (i) in the portion preceding clause (a) by striking out “at an advance poll or at the poll on polling day” and substituting “at an advance voting place or a voting place on election day”;**
  - (ii) in clause (a) by striking out “incapacity” and substituting “disability”;**
  - (iii) by repealing clause (d) and substituting the following:**
    - (d) being an election officer, interpreter, peace officer appointed under the *Peace Officer Act*, candidate,**

*attend, shall open the ballot box and proceed to count the votes, and sections 111 and 112 apply, with all necessary modifications, to the count.*

*(2) The returning officer shall advise in writing each candidate or each candidate's official agent of the place where the votes from the advance poll will be counted.*

*(3) A returning officer may, if the returning officer considers it necessary, appoint in the prescribed form additional election officers to assist in counting the votes from the advance poll.*

*(4) Each person appointed under subsection (3) shall, before assuming any duties, take the prescribed oath of office before the returning officer, the election clerk or another person authorized to take oaths in Alberta, and no charge may be made by the person administering the oath.*

(86) Section 114 presently reads:

*114(1) The deputy returning officer is responsible for returning the ballot box to the returning officer as soon as possible after the conclusion of the unofficial count of the votes.*

*(2) If the deputy returning officer does not personally return the ballot box to the returning officer, the deputy returning officer shall ensure that the ballot box is returned to the returning officer by a means approved of by the returning officer.*

(87) Section 116 presently reads in part:

*116(1) An elector who is unable to vote at an advance poll or at the poll on polling day on account of*

*(a) physical incapacity,*

*(d) being a returning officer, election clerk, administrative assistant, supervisory deputy returning officer, registration officer, deputy returning officer or other staff member working in the office of a returning officer, poll clerk, interpreter, peace officer appointed under the Peace Officer Act, candidate, official agent or scrutineer who may be located on polling day at a polling place in a polling subdivision within the electoral division other than that in which the elector is ordinarily resident,*

official agent or scrutineer who may be located on election day at a voting place in a voting area within the electoral division other than that in which the elector is ordinarily resident;

- (iv) in clause (e) by striking out “section 31” and substituting “section 52.2”;**

**(b) in subsection (2)**

- (i) in clause (c) by striking out “fax or electronic mail” and substituting “online application or email”;**
- (ii) in the portion following clause (d) by striking out “at any time between the issue of the writ and the closing of polls on polling day”;**

**(c) in subsection (2.1)**

- (i) in the portion preceding clause (a) by adding “returning officer or” after “to the”;**

**(ii) in clause (a)**

- (A) in subclause (i) by striking out “January 1” and substituting “March 1”;**

**(B) in subclause (ii)**

- (I) by repealing paragraph (A) and substituting the following:**

(A) if the elector applies in person or identifies a designate to receive the forms referred to in subsection (3)(b) on the elector’s behalf, the close of voting on election day, and

- (II) in paragraph (B) by striking out “advance polls open” and substituting “advance voting begins”;**

**(iii) in clause (b)**

- (A) by repealing subclause (i) and substituting the following:**

- (e) being a resident of a remote area designated under section 31,  
or*

*may apply to vote by Special Ballot.*

*(2) An application for a Special Ballot may be made*

- (c) by fax or electronic mail, or*

- (d) in person,*

*by an elector to the returning officer of the elector's electoral division at any time between the issue of the writ and the closing of polls on polling day or to the Chief Electoral Officer in accordance with subsection (2.1).*

*(2.1) An application referred to in subsection (2) may be made to the Chief Electoral Officer*

- (a) in the case of a general election held in accordance with section 38.1(2),*

- (i) no earlier than January 1 in the year in which the election is held, and*

- (ii) no later than*

- (A) if the elector applies in person, at the end of polling day, and*

- (B) in any other case, 6 p.m. on the day before advance polls open,*

*and*

- (b) in the case of a general election held other than in accordance with section 38.1(2) or a by-election, no later than*

- (i) if the elector applies in person, at the end of polling day, and*

- (ii) in any other case, 6 p.m. on the day before advance polls open.*

*(3) On receipt of an application under this section, the returning officer, election clerk or person designated by the Chief Electoral Officer shall*

- (i) if the elector applies in person or identifies a designate to receive the forms referred to in subsection (3)(b) on the elector's behalf, prior to the close of voting on election day;

**(B) in subclause (ii) by striking out** "advance polls open" **and substituting** "advance voting begins";

**(d) in subsection (3)(a)**

**(i) in the portion preceding subclause (i) by striking out** "Poll Book" **and substituting** "voting record";

**(ii) in subclause (ii) by striking out** "polling subdivision" **and substituting** "voting area";

**(e) by adding the following after subsection (3):**

**(3.1)** An elector may designate another person to receive the forms referred to in subsection (3)(b) on the elector's behalf.

**(f) in subsection (4)**

**(i) by striking out** "the administrative assistant" **and substituting** "an election officer appointed under section 45.1";

**(ii) by striking out** "sections 117 and 118" **and substituting** "section 118".

**(88) Section 116.1(1) is amended by striking out** "poll or if the elector's name or address appears in a poll book" **and substituting** "voting place or if the elector's name or address appears in a voting record".

**(89) Section 117 is amended by striking out** "returning officer shall, on request, make available to any" **and substituting** "Chief Electoral Officer shall, on request, make available to any registered political party or".

(a) *enter in the Special Ballot Poll Book*

(i) *the elector's name and where the elector is ordinarily resident, and*

(ii) *the name and number of the polling subdivision in which the elector resides,*

*and*

(b) *after the writ of election has been issued, cause the appropriate forms to be provided to the applicant.*

(4) *The returning officer may delegate to the administrative assistant any functions of the returning officer or election clerk under this section and sections 117 and 118.*

(88) Section 116.1(1) presently reads:

*116.1(1) An elector who believes that his or her personal safety may be at risk if the elector appears in person at a poll or if the elector's name or address appears in a poll book may apply to vote by Secure Special Ballot.*

(89) Section 117 presently reads:

*117 The returning officer shall, on request, make available to any candidate in the electoral division or the candidate's official agent the names and addresses of the ordinary residences of those electors in the electoral division who have applied for and been provided with the appropriate forms under section 116.*

**(90) Section 118 is amended**

- (a) by renumbering subsection (1) as subsection (1.1) and by adding the following before subsection (1.1):**

**Voting by Special Ballot**

**118(1)** For the purposes of this section and section 111(5.2)(c)(i), “prescribed identification document or documents” means identification as defined in section 100(2).

**(b) in subsection (2)**

- (i) by repealing clauses (c) and (c.1);**
- (ii) in clause (d) by striking out “and seal the certificate envelope”;**
- (iii) by repealing clause (e) and substituting the following:**

**(e)** place the ballot envelope, signed certificate and a copy of the prescribed identification document or documents in the outer envelope, and

**(c) in subsection (3) by striking out “polling places on polling day” and substituting “voting places on election day”;**

**(d) in subsection (4)**

- (i) in the portion preceding clause (a) by striking out “remove and open the certificate envelope and”;**
- (ii) in clause (a)**
  - (A) by striking out “envelope”;**
  - (B) by striking out “Poll Book” and substituting “voting record”;**

**(e) in subsection (5)**

- (i) in the portion preceding clause (a) by striking out “Poll Book” and substituting “voting record”;**
- (ii) in clause (a)**
  - (A) in subclauses (ii) and (iii) by striking out “polling subdivision” and substituting “voting area”;**



(90) Section 118 presently reads in part:

*118(1) On receipt of the prescribed forms, the voter shall mark the ballot by writing, with a pen or pencil of any colour, in the space provided, the name of the candidate or the registered political party of the candidate of the voter's choice.*

*(2) After marking the voter's ballot, the voter shall*

*(c) place the ballot envelope in the certificate envelope,*

*(c.1) place a copy of the prescribed identification document or documents in the certificate envelope,*

*(d) complete and sign part 1 of the certificate and seal the certificate envelope,*

*(e) place the certificate envelope in the outer envelope, and*

*(3) The outer envelope, when sealed, shall be forwarded so that it reaches the returning officer or the person designated by the Chief Electoral Officer not later than the close of the polling places on polling day.*

*(4) On receipt of the outer envelope, the returning officer, election clerk or person designated by the Chief Electoral Officer shall remove and open the certificate envelope and determine*

*(a) whether the name on the certificate envelope is the same as that of a person already entered in the Special Ballot Poll Book under section 116,*

*(5) On determining that the voter is recorded in the Special Ballot Poll Book, that a copy of the prescribed identification document or documents has been included and that part 1 of the certificate is completed, the returning officer, election clerk or person designated by the Chief Electoral Officer as the case may be, shall,*

*(a) if the returning officer, election clerk or person designated by the Chief Electoral Officer is satisfied as to the voter's eligibility to vote,*

*(ii) if the voter's name appears on the list of electors for the polling subdivision in which the voter is entitled to vote, put a line through the voter's name and enter opposite the name of that person on the list of electors the word "special",*

**(B) in subclause (iv)**

**(I) by striking out “Poll Book” and substituting “voting record”;**

**(II) by striking out “certificate” and substituting “outer”;**

**(C) in subclause (v) by striking out “certificate” and substituting “outer”;**

**(D) in subclause (vi)**

**(I) by striking out “Poll Book” and substituting “voting record”;**

**(II) by striking out “incapacity” and substituting “disability”;**

**(III) by adding “peace officer, interpreter,” after “election officer,”;**

**(E) in subclause (vii) by striking out “envelope”;**

**(iii) in clause (b)**

**(A) in subclause (i) by striking out “certificate” and substituting “outer”;**

**(B) in subclause (iii) by striking out “the certificate envelope” and substituting “part 2 of the certificate”;**

**(f) by adding the following after subsection (5):**

**(5.1)** Despite subsection (5), if an elector appears in person to cast the elector’s vote by Special Ballot, a copy of the elector’s prescribed identification document or documents does not need to be retained.

**(g) in subsection (6) by striking out “polling place on polling day” and substituting “voting place on election day”;**

**(h) in subsection (6.01)(a) by striking out “advance poll” and substituting “advance voting place”.**

- (iii) *if the voter's name does not appear on the list of electors for the polling subdivision in which the voter is entitled to vote, enter the voter's name on the list of electors and put a line through the voter's name and enter opposite the name of that voter on the list of electors the word "special",*
  - (iv) *record in the Special Ballot Poll Book in the appropriate column the date the returning officer, election clerk or person designated by the Chief Electoral Officer received the certificate envelope,*
  - (v) *remove the sealed ballot envelope from the certificate envelope, remove the Special Ballot from the sealed ballot envelope and place the Special Ballot in a sealed ballot box marked "special ballot",*
  - (vi) *enter in the Special Ballot Poll Book, in the appropriate columns, a check mark or other annotation indicating that the voter has voted and the reason for using the Special Ballot, that is, physical incapacity, absence, inmate, election officer, candidate, official agent, scrutineer, remote area or another reason prescribed by the Chief Electoral Officer, and*
  - (vii) *retain the certificate envelope and the copy of the identification document or documents and forward them to the Chief Electoral Officer in accordance with section 142,*
- or*
- (b) *if the returning officer, election clerk or person designated by the Chief Electoral Officer is not satisfied as to the voter's eligibility to vote,*
    - (i) *retain the certificate envelope and its contents,*
    - (iii) *mark the certificate envelope accordingly.*
- (6) *At the close of the polling place on polling day, the returning officer shall deliver the sealed ballot box referred to in subsection (5)(a)(v) to the authorized election officers in the electoral division and advise them of the names of the electors who have voted by Special Ballot.*

**(91) Section 119 is amended by striking out “polling places on polling day” and substituting “voting places on election day”.**

**(92) Section 120 is amended**

**(a) in subsection (2)**

**(i) in the portion preceding clause (a) by striking out “subsection (1)(a) or (b)” and substituting “subsection (1)”;**

**(ii) in clause (a) by striking out “supportive living facility, whether a mobile poll” and substituting “facility, whether a mobile vote”;**

**(iii) by repealing clause (b) and substituting the following:**

(b) in consultation with an official of each facility where a mobile vote is to be held,

(i) determine whether a mobile vote will be held on election day and, if so, fix the hours when a mobile vote will operate at the facility,

(ii) determine whether a mobile vote will be held on any one or more days fixed for advance voting and, if so, fix the date or dates and hours when that mobile vote will operate at the facility, and

(iii) determine the number of mobile voting stations to be established within the facility and the format that each mobile voting station is to take as either fixed location or bed-to-bed visitations, or both,

and

*(6.01) Counting of Special Ballots shall proceed*

- (a) in the case of ballot boxes delivered under subsection (6), in accordance with section 113 as if the ballot box were from an advance poll,*

(91) Section 119 presently reads:

*119 If an outer envelope is received by a returning officer after the close of the polling places on polling day, the ballot it contains must be considered a rejected ballot and the outer envelope must be retained unopened by the returning officer, who shall record on it the reason for its rejection.*

(92) Section 120 presently reads in part:

*(2) If a returning officer determines that there are facilities as described in subsection (1)(a) or (b), the returning officer shall,*

- (a) determine, in consultation with an official of each supportive living facility, whether a mobile poll should be held at the facility,*
  - (b) in consultation with an official of each supportive living facility where a poll is to be held and with an official of each treatment centre*
    - (i) fix the hours on polling day when a mobile poll will operate at the facility,*
    - (i.1) determine whether a mobile poll will be held on any one or more days fixed for an advance poll and, if so, fix the hours when that mobile poll will operate at the facility, and*
    - (ii) determine the number of mobile polls to be established within the facility and the format that each mobile poll is to take as either fixed location or bed-to-bed visitations, or both,*
- and*
- (c) appoint a deputy returning officer and poll clerk for each mobile poll so required.*

*(3) If a returning officer determines that there are facilities as described in subsection (1)(c) or (d), the returning officer shall*

(iv) **by repealing clause (c) and substituting the following:**

(c) appoint 2 election officers for each voting station so required for the voting place;

(b) **by repealing subsections (3) to (5).**

**(93) Section 121 is amended by striking out** “a mobile poll is to be held to be in-patients or residents of that facility on polling day” **and substituting** “a mobile vote is to be held to be in-patients or residents of that facility on the date of the mobile vote”.

**(94) Section 122 is repealed and the following is substituted:**

**Presence at mobile vote**

**122(1)** Subject to subsection (2), only the following persons may remain at a mobile voting station during voting hours:

(a) election officers appointed to the voting station;

- (a) *determine, in consultation with an official of each facility, whether a mobile poll should be held at the facility,*
- (b) *in consultation with an official of each facility where a poll is to be held*
  - (i) *fix the hours on polling day when a mobile poll will operate at the facility,*
  - (ii) *determine whether a mobile poll will be held on any one or more days fixed for an advance poll and, if so, fix the hours when that mobile poll will operate at the facility, and*
  - (iii) *determine the number of mobile polls to be established within the facility and the format that each mobile poll is to take,*

*and*

- (c) *appoint a deputy returning officer and poll clerk for each mobile poll so required.*

*(4) An official of a facility referred to in subsection (1)(c) or (d) shall not unreasonably withhold consent to hold a mobile poll in that facility.*

*(5) If the official referred to in subsection (4) withholds consent to hold a mobile poll in a facility, the official shall provide the returning officer with written reasons for the withholding of consent.*

(93) Section 121 presently reads:

*121 Electors who are acknowledged by an official of a facility referred to in section 120(1) where a mobile poll is to be held to be in-patients or residents of that facility on polling day are deemed to be ordinarily resident in the electoral division in which the facility is located if they have not already voted in the election.*

(94) Section 122 presently reads:

*122(1) Subject to subsection (2), only the following persons may remain at a mobile poll during polling hours:*

- (a) *the deputy returning officer;*
- (b) *the poll clerk;*

- (b) the returning officer and election clerk;
- (c) an interpreter;
- (d) a member of the staff of the facility;
- (e) a scrutineer for each candidate appointed to the mobile voting station.

**(2)** If, in the opinion of an official at a facility referred to in section 120(1), it is advisable to do so, the persons present at a mobile voting station during voting hours may be limited to the member of the staff of the facility, an interpreter and the 2 election officers appointed to the voting station.

**(95) Section 123 is amended**

**(a) in subsection (1) by striking out** “at the taking of the vote at a mobile poll” **and substituting** “during mobile voting”;

**(b) by repealing subsection (4) and substituting the following:**

**(4)** An official of the facility, on the close of voting at the facility, shall endorse the voting record by affixing the official’s signature immediately under the last name in the voting record, certifying that the persons named in the voting record are in-patients or residents in accordance with section 121.

**(c) in subsection (5)**

**(i) in the portion preceding clause (a) by striking out** “the mobile poll” **and substituting** “each mobile voting station”;

**(ii) in clause (a) by striking out** “the deputy returning officer and poll clerk” **and substituting** “the 2 election officers appointed to that voting station”;



- (c) *the returning officer or election clerk;*
- (d) *an interpreter;*
- (e) *a member of the staff of the facility;*
- (f) *each candidate or the candidate's official agent or scrutineer.*

*(2) If in the opinion of a member of the staff of a treatment centre or an emergency shelter it is advisable to do so, the deputy returning officer may limit the persons present at a mobile poll to*

- (a) the deputy returning officer,*
- (b) the poll clerk,*
- (c) an interpreter, and*
- (d) a member of the treatment centre or emergency shelter staff.*

**(95)** Section 123 presently reads in part:

*123(1) The ballots used at the taking of the vote at a mobile poll at a facility shall be the ballots being used for the election in the electoral division in which the facility is situated.*

*(4) An official of the facility shall, on the close of the taking of the poll at the facility, endorse the poll book by affixing the official's signature immediately under the last name in the poll book certifying that the persons named in the poll book are in-patients or residents in accordance with section 121.*

*(5) At the close of the mobile poll, the ballot box*

- (a) shall be sealed by the deputy returning officer and poll clerk, and*

*(6) Sealing material on a ballot box shall not be removed from the time it is applied until the mobile poll is commenced at another location or until the close of polls on polling day.*

*(7) The deputy returning officer shall, after the seal has been applied pursuant to subsection (5), take charge of and safely keep the ballot box until the close of polls on polling day, when the ballots shall be counted in accordance with section 111.*

**(d) in subsection (6)**

- (i) by striking out “mobile poll” and substituting “mobile voting station”;**
- (ii) by striking out “polls on polling day” and substituting “voting on election day”;**

**(e) by repealing subsection (7) and substituting the following:**

**(7)** The election officer designated by the returning officer shall, after the seal has been applied pursuant to subsection (5), take charge of and safely keep the ballot box until the close of voting on election day or return the ballot box to the office of the returning officer, as directed by the returning officer.

**(96) Section 124 is amended**

- (a) in subsection (1) by striking out “polling places on polling day, the deputy returning officer of each mobile poll and the deputy returning officer’s poll clerk” and substituting “voting places on election day, the 2 election officers appointed to each mobile voting station”;**
- (b) in subsection (2) by striking out “mobile poll” and substituting “mobile voting station”.**

**(97) Section 125 is repealed and the following is substituted:**

**Application of Act to mobile voting**

**125** Every facility at which mobile voting is conducted is a voting place under this Act and all relevant provisions of this Act apply with all necessary modifications.

**(98) Sections 125.1 to 125.3 are repealed.**

(96) Section 124 presently reads:

*124(1) After the closing of the polling places on polling day, the deputy returning officer of each mobile poll and the deputy returning officer's poll clerk shall attend with the ballot box at a place designated by the returning officer and then, in the presence of any of the candidates or their official agents or scrutineers who attend, shall open the ballot box and proceed to count the votes, and sections 111 and 112 apply, with all necessary modifications, to the count.*

*(2) The returning officer shall advise in writing each candidate or each candidate's official agent of the place where the votes from the mobile poll will be counted.*

(97) Section 125 presently reads:

*125 Every facility at which one or more mobile polls are established is a polling place under this Act and all relevant provisions of this Act apply with all necessary modifications.*

(98) Sections 125.1 to 125.3 presently read:

*125.1(1) A returning officer, in consultation with the Chief Electoral Officer, may establish one or more special mobile polls in accordance with this section.*



*(2) Facilities at which a special mobile poll may be established include the following:*

- (a) facilities on the campuses of public post-secondary institutions;*
- (b) facilities on Indian reserves;*
- (c) facilities on Metis settlements;*
- (d) work camps;*
- (e) correctional institutions under the Corrections Act, penitentiaries under the Corrections and Conditional Release Act (Canada) and places of custody under the Youth Justice Act or the Youth Criminal Justice Act (Canada);*
- (f) any public building determined by the Chief Electoral Officer to be secure and suitable for the purposes of a special mobile poll.*

*(3) A returning officer, in consultation with the Chief Electoral Officer, shall not establish a special mobile poll in a facility if the Chief Electoral Officer determines that the facility does not meet safety, security and any other standards established by the Chief Electoral Officer for polling places.*

*(4) A returning officer shall*

- (a) determine, in consultation with an official of each facility set out in subsection (2)(a), (b), (c), (d) and (e), whether a special mobile poll should be held at the facility,*
- (b) in consultation with an official of each facility where a special mobile poll is to be held, fix the hours on any one or more days fixed for advance polling when a special mobile poll will operate at the facility, and*
- (c) appoint a deputy returning officer, poll clerk and other election officers if required for each special mobile poll.*

*(5) When a person who is an elector attends to vote at the special mobile poll, the deputy returning officer shall*

- (a) if the person's name appears on a list of electors, enter opposite the name of that person on the list of electors in the*

**(99) Section 126(2) is amended by striking out “polling subdivision” wherever it occurs and substituting “voting area”.**

**(100) Section 132 is amended**

**(a) by repealing subsections (1) and (2) and substituting the following:**

**Time for voting**

**132(1)** If the work schedule of an employee who is an elector does not provide the employee with 3 consecutive hours to vote in an election or plebiscite during one of the days of advance

*appropriate column a check mark or other annotation indicating that the elector voted in the special mobile poll, or*

*(b) if the person's name does not appear on any list of electors,*

*(i) require the person to comply with section 95(1) or (2), and*

*(ii) enter the person's name and address on the list of electors and enter in the appropriate column in the poll book a check mark or other annotation indicating that the voter signed a declaration in accordance with section 95(1) or signed a declaration and was vouched for in accordance with section 95(2), and voted in the special mobile poll.*

*(6) The deputy returning officer shall advise the returning officer of the names and electoral divisions of all electors who voted at the deputy returning officer's special mobile poll, and the Chief Electoral Officer shall, prior to polling day, advise each returning officer of the names of the electors for their respective electoral division who have so voted.*

*125.2 An elector at a special mobile poll may only vote for a candidate in the electoral division where the elector is ordinarily resident.*

*125.3 Every facility at which one or more special mobile polls are established is a polling place under this Act and all relevant provisions of this Act apply with all necessary modifications.*

(99) Section 126(2) presently reads:

*(2) If there is in the electoral division a polling subdivision for which a list of electors is not on record in the office of the Chief Electoral Officer, a list of electors for that polling subdivision shall be prepared in the manner prescribed by the Chief Electoral Officer.*

(100) Section 132 presently reads:

*132(1) An employee who is an elector qualified to vote shall, while the polls are open on polling day at an election or plebiscite, be allowed 3 consecutive hours for the purpose of casting the employee's vote.*

*(2) If the employee's hours of employment do not allow for the 3 consecutive hours' absence, the employee's employer shall allow the*

voting or on election day, the employer shall allow the employee leave time for voting as required to provide the employee 3 consecutive hours to vote during voting hours on any of the days of voting, at the convenience of the employer.

- (b) in subsection (3) by striking out “3 consecutive hours referred to in subsection (1) or additional time granted under subsection (2)” and substituting “leave time for voting referred to in subsection (1)”.**

**(101) Section 133.1(3) is amended by striking out “section 61” and substituting “section 9(2)(c) of the *Election Finances and Contributions Disclosure Act*”.**

**(102) Section 134(1) is amended by striking out “electronic mail” and substituting “email”.**

**(103) Section 134.1 is amended**

- (a) in subsection (1)**

**(i) in clauses (a) and (c) by striking out “polling day” and substituting “election day”;**

**(ii) in clause (e)(i) by striking out “polling day” and substituting “the date set for voting”;**

**(b) in subsection (2) by striking out “or” at the end of clause (b), by adding “or” at the end of clause (c) and by adding the following after clause (c):**

**(d) is an ordinary and routine part of the programs or activities of a department or a Provincial corporation and is not made for a partisan political purpose.**

**(c) in subsection (3) by striking out “or” at the end of clause (c) and by adding the following after clause (c):**



*employee additional time for voting to provide the 3 consecutive hours, but the additional time for voting shall be granted at the convenience of the employer.*

*(3) No employer may make any deduction from the pay of an employee or impose on or exact from the employee any penalty by reason of the employee's absence from employment during the 3 consecutive hours referred to in subsection (1) or additional time granted under subsection (2).*

(101) Section 133.1(3) presently reads:

*(3) For the purposes of this section, a candidate under subsection (1) is not required to file nomination papers or pay the \$500 deposit under section 61.*

(102) Section 134(1) presently reads:

*134(1) In this section, "advertisement" means an advertisement, for which there is or normally would be a charge, in any broadcast, print, electronic or other media, including telephone, fax, internet, electronic mail and text messaging, with the purpose of promoting or opposing any registered political party or the election of a registered candidate.*

(103) Section 134.1 presently reads in part:

*134.1(1) In this section and section 134.2,*

- (a) "by-election period" means the period commencing with the issue of the writ for a by-election and ending at the end of polling day;*
- (c) "election period" means the period commencing with the issue of the writ for a general election and ending at the end of polling day;*
- (e) "referendum period" means*
  - (i) in the case of a referendum under the Referendum Act ordered to be held in conjunction with a general election under this Act or as a stand-alone referendum on a date provided in the order, the period commencing when the order is issued and ending at the end of polling day, and*

- (c.1) is an ordinary and routine part of the programs or activities of a department or a Provincial corporation and is not made for a partisan political purpose, or

**(d) in subsection (3.1) by striking out “or” at the end of clause (c) and by adding the following after clause (c):**

- (c.1) is an ordinary and routine part of the programs or activities of a department or a Provincial corporation and is not made for a partisan political purpose, or

**(104) Section 135 is amended**

**(a) in subsection (1)**

- (i) **by striking out** “polling place at an advance poll or on polling day” **and substituting** “voting place for advance voting or on election day”;

*(2) During an election period, a department or a Provincial corporation shall not advertise or publish any information about its programs or activities unless the advertisement or publication*

*(b) is required at that time*

*(i) to solicit proposals or tenders for contracts or applications for employment, or*

*(ii) because it relates to important matters of public health or safety,*

*or*

*(c) is a continuation of earlier publications or advertisements and is required for ongoing programs of a department or a Provincial corporation.*

*(3) During a by-election period, a department or a Provincial corporation shall not advertise or publish any information about its programs or activities that has a disproportionate impact on voters in the electoral division in which the by-election is being held unless the advertisement or publication*

*(c) is a continuation of earlier publications or advertisements and is required for ongoing programs of a department or a Provincial corporation, or*

*(3.1) During a referendum period, a department or a Provincial corporation shall not advertise or publish any information about its programs or activities related to the subject-matter of the referendum that has a disproportionate impact on voters in the areas of Alberta in which the referendum is being held unless the advertisement or publication*

*(c) is a continuation of earlier publications or advertisements and is required for ongoing programs of a department or a Provincial corporation, or*

(104) Section 135 presently reads in part:

*135(1) Subject to subsection (2), no person may*

*(a) display inside or on the outside of, or*

*(b) distribute within,*

- (ii) **by striking out** “the deputy returning officer or other”;
- (b) **in subsection (2) by striking out** “polling place” **wherever it occurs and substituting** “voting place”.

**(105) Section 135.1(a) is amended by striking out** “polling day” **and substituting** “election day”.

**(106) Section 135.4 is amended**

- (a) **in subsection (1)**
  - (i) **by striking out** “polling day” **and substituting** “election day”;
  - (ii) **by striking out** “polling places” **and substituting** “voting places”;
- (b) **in subsection (2)**
  - (i) **by striking out** “polling day” **and substituting** “election day”;
  - (ii) **by striking out** “polling places” **and substituting** “voting places”.

**(107) The heading preceding section 136 is repealed and the following is substituted:**

#### **Part 4 Post-Election-Day Procedures**

*a building used for a polling place at an advance poll or on polling day, or within the boundaries of the land on which the building is located, any election circular, card, poster, bill or other paper except those posted by the deputy returning officer or other election officials as required by this Act.*

*(2) When a polling place is located in a building containing a complex of interlocking offices, stores or other facilities, the prohibition in subsection (1) applies only to the office, store or facility comprising the area designated as a polling place.*

(105) Section 135.1 presently reads in part:

*135.1 In this section and sections 135.11 to 135.4,*

*(a) “election period” means the period commencing with the issue of the writ and ending at the end of polling day;*

(106) Section 135.4 presently reads:

*135.4(1) No person shall knowingly cause to be transmitted to the public, in an electoral division on polling day before the close of all of the polling places in that electoral division, the results of an election survey that have not previously been transmitted to the public.*

*(2) No person shall transmit to the public, in an electoral division on polling day before the close of all of the polling places in that electoral division, the results of an election survey that have not previously been transmitted to the public.*

(107) The heading preceding section 136 presently reads:

*Part 4  
Post-Polling-Day Procedures*

**(108) Section 136 is amended**

- (a) by striking out “quarters and”;**
- (b) by striking out “deputy returning officers” and substituting “election officers”.**

**(109) Section 137 is amended**

- (a) by repealing subsection (2)(b);**
- (b) in subsection (3) by striking out “deputy returning officer’s Statement of Poll” and substituting “Statement of Vote”;**
- (c) in subsection (3.1)**
  - (i) by striking out the portion preceding clause (a) and substituting the following:**

**(3.1)** If the difference between the votes for the candidate with the highest number of votes and the candidate with the next highest number of votes is 100 or less, the returning officer shall conduct a full official count by”;
  - (ii) by repealing clause (a) and substituting the following:**
    - (a)** checking the Statement of Vote;
  - (iii) in clause (b) by striking out “make a note in the poll book” and substituting “making a note in the voting record”;**
  - (iv) in clause (c)**
    - (A) by striking out “number each objection to a ballot in the poll book” and substituting “numbering each objection to a ballot in the voting record”;**
    - (B) by striking out “place” and substituting “placing”;**
    - (C) by striking out “initial” and substituting “initialling”;**

(108) Section 136 presently reads:

*136 The returning officer for each electoral division shall provide adequate quarters and facilities for receiving and conducting the official count of the ballots received from all the deputy returning officers of the returning officer's electoral division.*

(109) Section 137 presently reads in part:

*(2) No person may be allowed in the room where an official count is being conducted except*

*(b) deputy returning officers in the discharge of their duties,*

*(3) In conducting the official count, the returning officer, with the assistance of the election clerk and any other election officers authorized by the returning officer to assist with the counting of the ballots, shall open each ballot box and remove the deputy returning officer's Statement of Poll and the envelopes containing the ballots.*

*(3.1) The returning officer shall*

*(a) check the deputy returning officer's Statement of Poll,*

*(b) make a note in the poll book of every objection to a ballot made by or on behalf of a candidate and the name of any candidate by or on whose behalf an objection was made,*

*(c) number each objection to a ballot in the poll book, place a corresponding number on the back of the ballot and initial the back of the ballot,*

*(d) decide any questions arising out of an objection regardless of whether a decision was made by the deputy returning officer in the first instance,*

*(e) inspect all rejected ballots and decide on the validity of each ballot regardless of the previous rejection by the deputy returning officer,*

*(f) supervise election officers in conducting the official count of the valid votes,*

*(g) supervise election officers in reconciling the number of spoiled and declined ballots, and*

*(h) complete an official count of the valid votes.*

**(v) in clause (d)**

**(A) by striking out “decide” and substituting “deciding”;**

**(B) by striking out “deputy returning officer” and substituting “election officer responsible for the count”;**

**(vi) in clause (e)**

**(A) by striking out “inspect” and substituting “inspecting”;**

**(B) by striking out “decide” and substituting “deciding”;**

**(C) by striking out “deputy returning officer” and substituting “election officer responsible for the count”;**

**(vii) in clauses (f) and (g) by striking out “supervise” and substituting “supervising”;**

**(viii) in clause (h) by striking out “complete” and substituting “completing”;**

**(d) by adding the following after subsection (3.1):**

**(3.2)** If the difference between the votes for the candidate with the highest number of votes and the candidate with the next highest number of votes is 101 or more, the returning officer shall conduct an official count by

- (a) checking the Statement of Vote,
- (b) deciding any questions arising out of an objection regardless of whether a decision was made by the election officer responsible for the count in the first instance,
- (c) inspecting all rejected ballots and deciding on the validity of each ballot regardless of the previous rejection by the election officer responsible for the count, and



*(4) The decision of the returning officer under subsection (3)(d) or (e) is final, subject only to a judicial recount under this Part.*

*(5) On completion of the official count of the polls, the returning officer shall provide to each candidate or each candidate's official agent a Certificate and Return in the prescribed form indicating*

*(a) the number of votes counted for each candidate under this section,*

*(7) The returning officer shall retain a copy of the Statement of Official Results for a period of 7 days after submitting it to the Chief Electoral Officer to allow for a possible judicial recount under this Part.*

(d) reviewing such records and inspecting such ballots as necessary to satisfy the returning officer that the returning officer may sign the Statement of Official Results and Certificate and Return.

(e) **in subsection (4) by striking out** “subsection (3)(d) or (e)” **and substituting** “subsection (3.1)(d) or (e) or (3.2)(b) or (c)”;

(f) **in subsection (5)**

(i) **in the portion preceding clause (a)**

(A) **by adding** “full” **before** “official count”;

(B) **by striking out** “polls,” **and substituting** “votes under subsection (3.1), or on being satisfied that they may sign the Statement of Official Results and Certificate and Return under subsection (3.2),”;

(ii) **in clause (a) by striking out** “under this section”;

(g) **by repealing subsection (7).**

**(110) Section 139(3) is amended by adding** “, section 32 of the *Legislative Assembly Act* applies and a by-election shall be held for that electoral division” **after** “void”.

**(111) Section 140 is amended**

(a) **in subsections (3) and (4) by striking out** “announce” **and substituting** “declare”;

(b) **by adding the following after subsection (5):**

(6) After the returning officer declares the results of the official count, the Chief Electoral Officer shall announce the results of the official count.

(110) Section 139(3) presently reads:

*(3) Subject to subsection (4), if a disclaimer is filed pursuant to subsection (1), the election in which that candidate was declared elected is void.*

(111) Section 140 presently reads in part:

*(3) If after a delay of 30 days the ballot boxes are not recovered, the returning officer shall forthwith announce the results of the official count without considering the missing ballots.*

*(4) If a returning officer is unable for any reason other than the one referred to in subsection (1) to announce the results of the official count at the date and time stated in the election proclamation, the returning officer shall adjourn the proceedings from time to time as may be required.*

*(5) Notwithstanding subsection (4), the announcement of the results of the official count shall not be delayed under subsection (4) beyond 14 days from the date stated in the election proclamation.*

**(112) Section 141 is amended**

- (a) in subsection (1)(c) by striking out “poll books” and substituting “voting records”;**
- (b) by repealing subsection (2).**

**(113) Section 144(6) is amended by striking out “and” at the end of clause (a), by adding “and” at the end of clause (b) and by adding the following after clause (b):**

- (c) to the Chief Electoral Officer.**

**(114) Section 145(3) is amended by adding the following after clause (c):**

- (d) election officers appointed by the Chief Electoral Officer to assist with the recount.**

**(115) Section 146 is amended**

- (a) in subsection (5) by adding “and” at the end of clause (a) and by repealing clauses (c) and (d);**
- (b) in subsection (6) by striking out “polling places on polling day” and substituting “voting places on election day”;**
- (c) by adding the following after subsection (9):**

(112) Section 141 presently reads in part:

*141(1) After the official count of the votes has been completed and the Statement of Official Results has been completed, the returning officer shall prepare the following for return to the Chief Electoral Officer in accordance with the Chief Electoral Officer's directions:*

*(c) the poll books;*

*(2) The returning officer shall enter in the register in accordance with the directions of the Chief Electoral Officer any information listed in section 13(2) that is collected during the election period.*

(113) Section 144(6) presently reads:

*(6) At least 4 days' notice of the time and place appointed for the recount shall be given by the applicant*

*(a) to the candidates, in the manner prescribed in section 68, and*

*(b) to the returning officer, if the returning officer is not the applicant, and the election clerk.*

(114) Section 145(3) presently reads:

*(3) At any recount of votes, the returning officer and election clerk shall be present and the following shall be given notice and may be present:*

*(a) each candidate and each candidate's official agent, or either of them, or in their absence 2 electors of the relevant electoral division designated by the candidate;*

*(b) the Chief Electoral Officer or a designate or both;*

*(c) the legal representatives of the parties.*

(115) Section 146 presently reads in part:

*(5) In the case of a recount of all the votes, the judge shall open all the envelopes containing*

*(a) the votes counted,*

*(b) the rejected ballots,*

*(c) the spoiled and declined ballots, and*

*(d) the unused ballots.*

**(9.1)** The judge may direct that election officers be appointed by the Chief Electoral Officer to assist with the recount.

- (d)** in subsection (10) by striking out “statements of the deputy returning officers” and substituting “Statements of Votes”.

**(116) Section 149(2) is amended**

- (a)** by striking out “Speaker” and substituting “Clerk of the Legislative Assembly”;
- (b)** by striking out “a writ of election for that electoral division shall be issued under section 39 as if the election were a by-election” and substituting “section 32 of the *Legislative Assembly Act* applies and a by-election shall be held for that electoral division”.

**(117) Section 152 is amended**

- (a)** in subsection (2) by striking out “poll books” and substituting “voting records”;
- (b)** in subsections (3.1) and (3.2) by striking out “poll book” wherever it occurs and substituting “voting record”;
- (c)** by adding the following after subsection (4):
- (4.1)** A person applying for an order under subsection (4) must provide the Chief Electoral Officer with 10-days’ notice of the application.
- (4.2)** The Chief Electoral Officer shall have a right to make representations to the Court with respect to the application.

*(6) Notwithstanding subsection (5), the judge shall not open the outer envelope containing a Special Ballot if the envelope was received by the returning officer or the person designated by the Chief Electoral Officer after the closing of the polling places on polling day.*

*(9) The judge shall conduct a recount according to the provisions governing an official count by a returning officer and shall verify and, if necessary, amend the Statement of Official Results.*

*(10) When a recount is completed, the judge shall seal all the ballots in their respective envelopes and shall seal the statements of the deputy returning officers in suitably marked envelopes.*

(116) Section 149(2) presently reads:

*(2) As soon as possible after a declaration has been made under section 148(8)(b) that no member has been declared elected for the electoral division because there is an equality of votes for 2 or more candidates, the Chief Electoral Officer shall present a report to the Speaker that there is a vacancy for that electoral division, in which case a writ of election for that electoral division shall be issued under section 39 as if the election were a by-election.*

(117) Section 152 presently reads in part:

*(2) If within the 30-day period described in subsection (1) a registered candidate in an electoral division, a registered candidate's official agent or a registered political party that has a registered candidate in the electoral division makes a written request to the Chief Electoral Officer for a copy of the poll books for the relevant electoral division, the Chief Electoral Officer shall, on payment of the cost to produce the copy as determined by the Chief Electoral Officer, furnish the copy to the registered candidate, registered official agent or registered political party.*

*(3.1) A registered candidate, a registered candidate's official agent or a registered political party to whom a copy of a poll book has been furnished under this section shall take all reasonable steps to protect the poll book and the information contained in it from loss and unauthorized use.*

**(118) Section 153.03(1) is amended by striking out** “or the *Election Finances and Contributions Disclosure Act*” **and substituting** “, the *Alberta Senate Election Act*, the *Citizen Initiative Act*, the *Election Finances and Contributions Disclosure Act* or the *Recall Act*”.

**(119) Section 153.09(3) is amended**

- (a) by striking out** “books or documents” **wherever it occurs and substituting** “records”;
- (b) by striking out** “political party, constituency association or candidate” **and substituting** “registered political party, registered constituency association or registered candidate”.

**(120) Section 153.091 is amended**

- (a) by repealing subsection (2) and substituting the following:**
  - (2)** The Election Commissioner may refuse to conduct an investigation if the Election Commission is of the opinion that
    - (a) the matter is frivolous or vexatious, or
    - (b) there are no grounds to warrant an investigation.
- (b) in subsection (3) by striking out** “present his or her or its views” **and substituting** “make submissions and present evidence to the Election Commissioner”;



*(3.2) A registered candidate, a registered candidate's official agent or a registered political party to whom a copy of a poll book has been furnished under this section shall immediately notify the Chief Electoral Officer if the poll book or the information contained in the poll book has been lost.*

*(4) Subject to subsection (1), no person may inspect any election documents retained by the Chief Electoral Officer pertaining to the election in that electoral division except by order of a judge.*

(118) Section 153.03(1) presently reads:

*153.03(1) Before beginning the duties of office, the Election Commissioner shall take an oath to perform the duties of the office faithfully and impartially and, except as provided in this Act or the Election Finances and Contributions Disclosure Act, not to disclose any information received by the Election Commissioner under this or any other Act.*

(119) Section 153.09(3) presently reads:

*(3) For the purpose of conducting an investigation under this Act, a representative of the Election Commissioner, on production of the representative's authorization from the Election Commissioner, may at any reasonable time enter any premises referred to in the authorization in which books or documents of a political party, constituency association or candidate relevant to the subject-matter of the investigation are kept and may examine and make copies of the books or documents or remove them temporarily for the purpose of making copies.*

(120) Section 153.091 presently reads in part:

*(2) The Election Commissioner may refuse to conduct an investigation, or may cease an investigation, if the Election Commissioner believes that*

*(a) the matter is frivolous or vexatious, or*

*(b) there are no or insufficient grounds to warrant an investigation or the continuation of an investigation.*

*(3) The Election Commissioner shall not make an adverse finding against a person or organization unless that person or organization has had reasonable notice of the substance of the allegations and a reasonable opportunity to present his or her or its views.*

**(c) by repealing subsection (4) and substituting the following:**

**(4)** When the Election Commissioner refuses to conduct an investigation under subsection (2), the Election Commissioner shall provide notice of that decision to every person or organization who requested the investigation, if any.

**(d) by adding the following after subsection (4):**

**(5)** When an investigation under subsection (1) is completed, the Election Commissioner

(a) shall provide notice of the Election Commissioner's decision to

(i) every person or organization who is the subject of the investigation, and

(ii) every person or organization who requested an investigation,

and

(b) may provide, as the Election Commissioner considers appropriate, notice of the decision to any other person or organization involved in a matter referred to in section 153.09(1).

**(121) Section 153.1(1) is amended by striking out "If" and substituting "After completing an investigation referred to in section 153.09(1), if".**

**(122) Section 153.3 is repealed and the following is substituted:**

**Appeal of administrative penalty**

**153.3(1)** A person or entity who is served with a notice of administrative penalty under section 153.1 may appeal the Election Commissioner's decision.

*(4) If the Election Commissioner refuses to conduct or ceases an investigation under subsection (2) or determines that no offence was committed, the Election Commissioner*

*(a) shall provide notice of that decision to*

*(i) every person or organization who*

*(A) is the subject of the investigation, or*

*(B) would have been the subject of an investigation if the Election Commissioner had not refused to conduct an investigation,*

*and*

*(ii) every person or organization who requested an investigation, if any,*

*and*

*(b) may, as the Election Commissioner considers to be appropriate, provide notice of that decision to any other person or organization involved in the matter referred to in section 153.09(1).*

(121) Section 153.1(1) presently reads:

*153.1(1) If the Election Commissioner is of the opinion that a person has contravened a provision of this Act, the Election Commissioner may serve on the person either a notice of administrative penalty requiring the person to pay to the Crown the amount set out in the notice, or a letter of reprimand.*

(122) Section 153.3 presently reads:

*153.3(1) A person or entity who is served with a notice of administrative penalty under section 153.1 may appeal the Election Commissioner's decision by filing an application with the Court within 30 days from the date the notice was served.*

*(2) The application must be accompanied with a copy of the notice of administrative penalty and state the reasons for the appeal.*

(2) An appeal may be commenced under this section within 30 days after the date the notice of administrative penalty was served by

- (a) filing an application with the Court, and
- (b) serving a filed copy of the application on the Election Commissioner.

(3) The application must be filed with a copy of the notice of administrative penalty and state the reasons for the appeal.

(4) The Court may, on application either before or after the time referred to in subsection (2), extend that time if it considers it appropriate to do so.

(5) On hearing the appeal, the Court may confirm, rescind or vary the amount of the administrative penalty, or remit the decision back to the Election Commissioner for reconsideration.

(6) The appeal must be based on the evidence considered by the Election Commissioner as part of an investigation under section 153.09, including any submissions made or evidence presented under section 153.091(3), the notice referred to in section 153.091(3) and the notice of administrative penalty served under section 153.1(1).

(7) For greater certainty, the Election Commissioner is not required to disclose any records or information that, if disclosed, would cause the Election Commissioner to contravene section 206.1(1) with respect to a person or organization other than the person or organization on whom the notice of administrative penalty was served.

(8) Section 153.2(1) does not apply with respect to an administrative penalty served as a result of the Election Commissioner's reconsideration of a decision that was remitted back to the Election Commissioner.

**(123) Section 163.1(1) is repealed and the following is substituted:**

**Consent to prosecute**

**163.1(1)** No prosecution shall be instituted under this Act without the consent of the Election Commissioner.

*(3) A copy of the application must be served on the Election Commissioner not less than 30 days before the appeal is to be heard.*

*(4) The Court may, on application either before or after the time referred to in subsection (1), extend that time if it considers it appropriate to do so.*

*(5) On hearing the appeal, the Court may confirm, rescind or vary the amount of the administrative penalty.*

(123) Section 163.1(1) presently reads:

*163.1(1) No prosecution shall be instituted under this Act without the consent of*

**(124) Section 164 is amended**

- (a) in clause (d) by striking out “the deputy returning officer” wherever it occurs and substituting “an election officer”;**
- (b) in clause (e) by striking out “polling place” and substituting “voting place”;**
- (c) in clause (g) by striking out “a deputy returning officer, puts the deputy returning officer’s” and substituting “an election officer, puts the election officer’s”.**

**(125) Section 166(a) is amended by striking out “polling place during polling hours” and substituting “voting place during voting hours”.**

**(126) Section 167(b) is amended by striking out “section 95, 99(1)” and substituting “section 100.2, 100.3, 100.4, 100.5”.**

**(127) Section 168 is amended**

- (a) in clause (a) by striking out “poll books” and substituting “voting records”;**
- (b) in the portion following clause (b) by striking out “poll book” and substituting “voting record”.**

- (a) *the Election Commissioner before the coming into force of section 153.093(1) or*
- (b) *the Chief Electoral Officer after the coming into force of section 153.093(1).*

(124) Section 164 presently reads in part:

*164 A person commits a corrupt practice who wilfully*

- (d) *delivers to the deputy returning officer any paper other than the ballot given to the person by the deputy returning officer, to be placed in the ballot box,*
- (e) *takes a ballot out of the polling place,*
- (g) *being a deputy returning officer, puts the deputy returning officer's initials on the back of any paper that is not but purports to be, or is capable of being used as, a ballot at an election,*

(125) Section 166(a) presently reads:

*166 A person commits a corrupt practice who,*

- (a) *being entitled to remain in a polling place during polling hours or to be present during counting of the ballots, fails to maintain or aid in maintaining the secrecy of the voting, or*

(126) Section 167(b) presently reads:

*167 A person commits a corrupt practice who*

- (b) *signs a false declaration under section 95, 99(1) or 104 or takes a false oath,*

(127) Section 168 presently reads:

*168 An election officer or other person*

- (a) *whose duty it is to deliver poll books or lists of electors, or*
- (b) *who has the custody of a certified list of electors,*

*who in any way wilfully falsifies the certified list, list of electors or poll book, commits a corrupt practice.*

**(128) Section 172(3)(f) is amended**

- (a) by striking out “either”;**
- (b) by adding “, or gives, lends or promises to give or lend money or other valuable consideration to any person” after “employment for any person”.**

**(129) Section 173 is amended by striking out “poll book” and substituting “voting record”.**

**(130) Section 185(2)(a)(ii) is amended by striking out “the polling day” and substituting “election day”.**

**(131) Section 186(1)(a) is amended by striking out “may” and substituting “shall”.**

**(132) Section 202 is amended**

- (a) in the portion preceding clause (a) by adding “an irregularity, failure, non-compliance or mistake, including” after “by reason of”;**
- (b) in clauses (a), (b) and (c) by striking out “poll” wherever it occurs and substituting “vote”;**



(128) Section 172(3)(f) presently reads:

*(3) A person commits a corrupt practice who does one or more of the following:*

*(f) in order to induce a person*

*(i) to allow the person to be nominated as a candidate,*

*(ii) to refuse to allow the person to be nominated as a candidate, or*

*(iii) to withdraw the person's nomination as a candidate,*

*either gives or procures, agrees to give or procure or attempts to procure any office, position or employment for any person.*

(129) Section 173 presently reads:

*173 A person who wilfully causes a poll book to be damaged, destroyed or obliterated commits a corrupt practice.*

(130) Section 185(2) presently reads in part:

*(2) The petition*

*(a) may be filed only by*

*(ii) a person who on the polling day was qualified to vote at the election,*

(131) Section 186(1)(a) presently reads:

*186(1) The petition*

*(a) may be in the prescribed form;*

(132) Section 202 presently reads in part:

*202 No election is void by reason of*

*(a) an irregularity on the part of an election officer or in any of the proceedings preliminary to the poll,*

*(b) a failure to hold a poll at any place appointed for holding a poll,*

- (c) in the portion following clause (d) by striking out “election was conducted in accordance with this Act and that the”.

**(133) Section 206.1 is amended**

- (a) in subsection (3) by adding the following after clause (b):

- (c) if the Election Commissioner consents to a prosecution under this Act.

- (b) by adding the following after subsection (3):

- (4) Nothing in this section requires the Chief Electoral Officer or the Election Commissioner to disclose any information that would reveal the name of a complainant or witness except with the consent of that person or if so directed by a court.

**(134) This section comes into force on Proclamation.**

**Election Finances and  
Contributions Disclosure Act**

**Amends RSA 2000 cE-2**

**5(1) The *Election Finances and Contributions Disclosure Act* is amended by this section.**

**(2) Section 1(1) is amended**

- (a) in clause (b)

- (i) by striking out “polling day” wherever it occurs and substituting “election day”;
  - (ii) by repealing subclause (i);
  - (iii) in subclause (ii) by striking out “held other than in accordance with section 38.1(2) of the *Election Act*” and substituting “as defined in the *Election Act*”;

- (c) *a non-compliance with the provisions of this Act relating to the taking of the poll or the counting of the votes or with regard to limitations of time, or*

*if it is shown to the satisfaction of the Court that the election was conducted in accordance with this Act and that the irregularity, failure, non-compliance or mistake did not materially affect the result of the election.*

(133) Section 206.1 presently reads in part:

*(3) Findings and decisions, and any additional information that the Election Commissioner considers to be appropriate, shall be published on the Chief Electoral Officer's website in the following circumstances:*

- (a) *if an administrative penalty is imposed or a letter of reprimand is issued under section 153.1;*
- (b) *if the Election Commissioner has provided notice under section 153.091(4) and receives a written request for disclosure from a person or organization who received the notice.*

(134) Coming into force.

## **Election Finances and Contributions Disclosure Act**

**5(1)** Amends chapter E-2 of the Revised Statutes of Alberta 2000.

(2) Section 1(1) presently reads in part:

*1(1) In this Act,*

- (b) *"campaign period" means*
- (i) *in the case of a general election held in accordance with section 38.1(2) of the Election Act, the period commencing on February 1 in the year in which the election is held and ending 2 months after polling day,*
- (ii) *in the case of a general election held other than in accordance with section 38.1(2) of the Election Act, the*

- (iv) **by repealing subclause (iii);**
- (v) **in subclause (iii.1) by striking out** “held other than in accordance with section 38.1(2) of the *Election Act*” **and substituting** “as defined in the *Election Act*”;
- (vi) **in subclause (v) by striking out** “the nomination contestant is required to register under section 9.3” **and substituting** “on which the nomination contestant is deemed to be a nomination contestant under section 9.3(2)”;
- (b) **in clause (c)(i)(A) and (ii)(A) by striking out** “registered political party” **and substituting** “registered party”;
- (c) **by adding the following after clause (f.01):**
  - (f.02) “election day” means the day set pursuant to the *Election Act*, the *Alberta Senate Election Act*, the *Recall Act* or the *Referendum Act* for voting at an election, a recall vote or a referendum, as the case may be;
- (d) **in clause (f.1) by striking out** “polling day” **and substituting** “election day”;
- (e) **by adding the following after clause (j):**
  - (j.1) “political party” means an organization, one of the purposes of which is to participate in public affairs by endorsing one or more of its members as candidates and supporting their election;
- (f) **by repealing clauses (k) and (n.2).**

*period commencing with the issue of a writ for the election and ending 2 months after polling day,*

- (iii) in the case of an election under the Alberta Senate Election Act held in conjunction with a general election held in accordance with section 38.1(2) of the Election Act, the period commencing on February 1 in the year in which the election is held and ending 2 months after polling day,*
- (iii.1) in the case of an election under the Alberta Senate Election Act held in conjunction with a general election held other than in accordance with section 38.1(2) of the Election Act, the period commencing with the issue of a writ for the election and ending 2 months after polling day,*
- (iii.3) in the case of an election under the Alberta Senate Election Act held separately on a date provided for in an order under section 5(1) of that Act, the period commencing on the date that the order under section 5(1) of that Act is passed and ending 2 months after polling day,*
- (iv) in the case of a by-election, the period commencing with the issue of a writ for the by-election and ending 2 months after polling day, and*
- (v) in the case of a nomination contest, the period beginning on the date the nomination contestant is required to register under section 9.3 and ending 2 months after the day on which a nomination contestant is selected for endorsement as the official candidate of the registered party for an electoral division;*
- (f.01) “Election Commissioner” means the Election Commissioner as defined in the Election Act;*
- (f.1) “election period” means the period commencing the day the writ of election is issued for an election and ending at the end of the polling day;*
- (j) “person” means an individual;*
- (k) “polling day” means the day fixed pursuant to the Election Act, the Alberta Senate Election Act or the Referendum Act for voting at an election or referendum, as the case may be;*

**(3) Section 4(1) is amended**

- (a) by striking out “and the *Alberta Senate Election Act*” and substituting “, the *Alberta Senate Election Act*, the *Citizen Initiative Act*, the *Recall Act* and the *Referendum Act*”;**
- (b) in clause (b)**
  - (i) in subclause (ii.2) by striking out “registered”;**
  - (ii) by repealing subclause (iii) and substituting the following:**
    - (iii) registered third parties in relation to
      - (A) election advertising or political advertising under Part 6.1,
      - (B) Senate election advertising under Part 6.11,
      - (C) referendum advertising under Part 6.12,
      - (D) initiative advertising under the *Citizen Initiative Act*, and
      - (E) recall advertising under the *Recall Act*;
- (c) in clauses (e) and (f) by striking out “is required to be filed” and substituting “is filed”;**
- (d) in clause (g)**
  - (i) by striking out “registered nomination contestant” and substituting “nomination contestant”;**
  - (ii) by striking out “is required to be filed” and substituting “is filed”;**
- (e) in clauses (h) to (i.1) by striking out “is required to be filed” wherever it occurs and substituting “is filed”;**
- (f) by adding the following after clause (i.1):**

(n.2) “registered nomination contestant” means a nomination contestant registered under section 9.3;

(3) Section 4(1) presently reads in part:

*4(1) The Chief Electoral Officer, in addition to the Chief Electoral Officer’s other powers and duties under this Act, the Election Act and the Alberta Senate Election Act,*

*(b) may inquire into the financial affairs and records of*

*(ii.2) registered nomination contestants in relation to nomination contests, and*

*(iii) registered third parties in relation to election advertising or political advertising under Part 6.1, in relation to Senate election advertising under Part 6.11 and in relation to referendum advertising under Part 6.12;*

*(e) with respect to a registered party and a registered constituency association, shall publish a statement on the Chief Electoral Officer’s website within 30 days after the date on which a report is required to be filed with the Chief Electoral Officer under section 32(3), which statement must include the name of any contributor referred to in the report who has contributed an amount exceeding \$250 in the aggregate, and the actual amount contributed;*

*(f) with respect to a registered party and a registered candidate, shall publish a statement on the Chief Electoral Officer’s website within 30 days after the date on which a campaign return is required to be filed with the Chief Electoral Officer under section 43, which statement must include the name of any contributor referred to in the return who has contributed an amount exceeding \$250 in the aggregate, and the actual amount contributed;*

*(g) with respect to a registered nomination contestant, shall publish a statement on the Chief Electoral Officer’s website within 30 days after the date on which a nomination contestant campaign return is required to be filed with the Chief Electoral Officer under section 43.01, which statement must include the name of any contributor referred to in the return who has contributed an amount exceeding \$250 in the aggregate, and the actual amount contributed;*

- (i.2) with respect to a third party that engages in referendum advertising, shall publish a statement on the Chief Electoral Officer's website
- (i) within 30 days after the date on which a referendum advertising return referred to in section 44.9499991(1) or a report referred to in section 44.9499991(2) is filed, which statement must include the name of any contributor referred to in the return or report who has contributed an amount exceeding \$250 in the aggregate, and the actual amount contributed, and
- (ii) as soon as reasonably possible after the date on which a report referred to in section 44.949999 is filed with the Chief Electoral Officer, which statement must include the name of any contributor referred to in the report who has contributed an amount exceeding \$250 in the aggregate, and the actual amount contributed;
- (g) in clause (j) by striking out "is required to be filed" wherever it occurs and substituting "is filed".**



- (h) *with respect to a registered leadership contestant, shall publish a statement on the Chief Electoral Officer's website within 30 days after the date on which a leadership contestant campaign return is required to be filed with the Chief Electoral Officer under section 43.02, which statement must include the name of any contributor referred to in the return who has contributed an amount exceeding \$250 in the aggregate, and the actual amount contributed;*
- (i) *with respect to a third party that engages in election advertising, shall publish a statement on the Chief Electoral Officer's website*
  - (i) *within 30 days after the date on which an election advertising return referred to in section 44.9(1) or a report referred to in section 44.9(3) is required to be filed, which statement must include the name of any contributor referred to in the return or report who has contributed an amount exceeding \$250 in the aggregate, and the actual amount contributed, and*
  - (ii) *as soon as reasonably possible after the date on which a report referred to in section 44.81 is required to be filed with the Chief Electoral Officer, which statement must include the name of any contributor referred to in the report who has contributed an amount exceeding \$250 in the aggregate, and the actual amount contributed;*
- (i.1) *with respect to a third party that engages in Senate election advertising, shall publish a statement on the Chief Electoral Officer's website*
  - (i) *within 30 days after the date on which an election advertising return referred to in section 44.9498(1) or a report referred to in section 44.9498(3) is required to be filed, which statement must include the name of any contributor referred to in the return or report who has contributed an amount exceeding \$250 in the aggregate, and the actual amount contributed, and*
  - (ii) *as soon as reasonably possible after the date on which a report referred to in section 44.9497 is required to be filed with the Chief Electoral Officer, which statement must include the name of any contributor referred to in the report who has contributed an amount exceeding \$250 in the aggregate, and the actual amount contributed;*

**(4) Section 5 is amended**

**(a) in subsection (3)**

- (i) by striking out** “registered nomination contestant”  
**wherever it occurs and substituting** “nomination  
contestant”;
  - (ii) by adding** “or documents” **after** “provide any  
information”;
- (b) in subsection (4) by adding** “or documents” **after** “provide  
any information”.

**(5) Section 5.2(3)(b) is repealed and the following is  
substituted:**

- (b) if the Election Commissioner has provided notice under  
section 44.97(4) or (5) and receives a written request for**

- (j) *with respect to a third party that engages in political advertising, shall publish a statement on the Chief Electoral Officer's website*
- (i) *within 30 days after the date on which a political advertising report is required to be filed with the Chief Electoral Officer under section 44.82(2), which statement must include the name of any contributor referred to in the report who has contributed an amount exceeding \$250 in the aggregate, and the actual amount contributed, and*
- (ii) *as soon as reasonably possible after the date on which a report referred to in section 44.82(5) is required to be filed with the Chief Electoral Officer, which statement must include the name of any contributor referred to in the report who has contributed an amount exceeding \$250 in the aggregate, and the actual amount contributed.*

(4) Section 5 presently reads in part:

*(3) A registered party, registered constituency association, registered candidate, registered nomination contestant, registered leadership contestant or registered third party shall, within 30 days after receiving a written request from the Chief Electoral Officer or within an extended period that the Chief Electoral Officer may determine, provide any information with respect to the financial affairs of the registered party, registered constituency association, registered candidate, registered nomination contestant, registered leadership contestant or registered third party that is reasonably required by the Chief Electoral Officer in the course of the Chief Electoral Officer's duties under this Act.*

*(4) A registered successor party shall, within 30 days after receiving a written request from the Chief Electoral Officer or within an extended period that the Chief Electoral Officer may determine, provide any information with respect to the financial affairs of the registered successor party, any of its predecessor parties or a constituency association of any of its predecessor parties that is reasonably required by the Chief Electoral Officer in the course of the Chief Electoral Officer's duties under this Act.*

(5) Section 5.2(3)(b) presently reads:

*(3) Findings and decisions, and any additional information that the Election Commissioner considers to be appropriate, shall be published on the Chief Electoral Officer's website in the following circumstances:*

disclosure from the person or entity, as defined in section 44.98, or organization who received the notice;

- (c) if the Election Commissioner consents to a prosecution under this Act.

**(6) The heading preceding section 6 and section 6 are repealed and the following is substituted:**

## **Part 2 Registration, Requirements and Records**

### **Qualifications for registration of political parties**

**6** A political party is qualified for registration in the register of political parties if the political party

- (a) held a minimum of 3 seats in the Legislative Assembly following the most recent election,
- (b) endorsed candidates in at least 50% of the electoral divisions in the most recent general election,
- (c) endorses candidates in at least 50% of the electoral divisions following the issue of a writ of election for a general election, or
- (d) subject to section 7(2.02), at any time other than during a campaign period, provides the Chief Electoral Officer with the names, addresses and signatures of persons who
  - (i) represent 0.3% of the total number of electors contained in the register of electors maintained under section 13 of the *Election Act* at the last general election,
  - (ii) are currently eligible to vote in an election, and
  - (iii) request the registration of that political party.

- (b) *if the Election Commissioner has provided notice under section 44.97(4) and receives a written request for disclosure from a person or organization who received the notice.*

(6) The heading preceding section 6 and section 6 presently read:

*Part 2*

*Registration*

*6(1) No political party and no person acting for a political party may accept contributions for the political party or for any constituency association of that party unless the political party is registered under this Act.*

*(2) Any political party that*

- (a) held a minimum of 3 seats in the Legislative Assembly following the most recent election,*
- (b) endorsed candidates nominated in at least 50% of the electoral divisions in the most recent general election,*
- (c) endorses candidates in at least 50% of the electoral divisions following the issue of a writ of election for a general election, or*
- (d) subject to subsection (2.1), at any time other than during a campaign period, provides the Chief Electoral Officer with the names, addresses and signatures of persons who*
  - (i) represent 0.3% of the number of electors eligible to vote at the last general election,*
  - (ii) are currently eligible to vote in an election, and*
  - (iii) request the registration of that political party,*

*is, subject to subsection (3), qualified for registration in the register of political parties.*

*(2.1) The Chief Electoral Officer may refuse to register a political party that proposes to be qualified under subsection (2)(d) if the information provided under that clause is submitted to the Chief Electoral Officer less than 60 days before the issuance of a writ of election.*

**(7) Section 7 is amended**

- (a) by repealing subsection (1) and substituting the following:**

**Registration of political parties**

**7(1)** No political party and no person acting for a political party shall accept contributions for the political party or for any constituency association of the political party unless the political party is registered under this Act.

*(3) A political party shall not be registered under this Act unless the Chief Electoral Officer is satisfied that prior to filing an application for registration the party has established a non-profit corporation or trust as a foundation for the purposes of receiving and managing the assets, except the premises, equipment, supplies and other such property required for the administration of the affairs of the party, held by the political party immediately prior to filing the application.*

*(3.1) Despite subsection (3), the Chief Electoral Officer may register a successor party if the Chief Electoral Officer is satisfied that prior to filing an application for registration as a registered successor party, the party has*

- (a) established a new foundation for the successor party, or*
- (b) continued a foundation of a predecessor party of the successor party as the foundation of the successor party.*

*(4) The assets of a foundation established under subsection (3) or established or continued under subsection (3.1) shall consist of funds, not exceeding \$5000, either on deposit with a financial institution or invested in accordance with the Trustee Act.*

*(5) No funds or other property may be received by or transferred to a foundation after the filing of an application for registration of the political party that established the foundation except for interest on the funds on deposit or the income from investments referred to in subsection (4).*

*(6) Each foundation shall file with the Chief Electoral Officer on or before April 1 in each year a report of the expenditures of that foundation during the previous year.*

*(7) Section 7 presently reads in part:*

*7(1) The Chief Electoral Officer shall maintain a register of political parties and, subject to this section, shall register in it any political party that is qualified to be registered and that files with the Chief Electoral Officer an application for registration setting out*

- (a) the full name of the political party;*
- (b) the political party name and the abbreviation of it to be shown in election documents;*

**(1.1)** The Chief Electoral Officer shall maintain a register of political parties and, subject to this section, shall register in it any political party that is qualified to be registered and that files with the Chief Electoral Officer an application for registration.

**(1.2)** An application for registration must set out the following:

- (a) the full name of the political party;
- (b) the political party name and the abbreviation of it to be shown in election documents;
- (c) the name of the leader of the political party;
- (d) the address of the place or places where records of the political party are maintained and of the place to which communications may be addressed;
- (e) the names of the principal officers of the political party;
- (f) the name of the chief financial officer of the political party;
- (g) the name and address of the financial institution used by the political party for the account into which are deposited all contributions made to that political party;
- (h) the names of the political party's signing officers responsible for each account referred to in clause (g);
- (i) an indication of the provision of section 6 under which the political party seeks to qualify for registration;
- (j) a statement by the leader of the political party that one of the political party's purposes is to participate in public affairs by endorsing one or more of its members as candidates and supporting their election;
- (k) a statement of the assets and liabilities of the political party, as of a date not earlier than 90 days before the date of its application for registration, attested to by its chief financial officer.



- (c) *the name of the leader of the political party;*
  - (d) *the address of the place or places where records of the political party are maintained and of the place to which communications may be addressed;*
  - (e) *the names of the principal officers of the political party;*
  - (f) *the name of the chief financial officer of the political party;*
  - (g) *the name and address of the financial institutions to be used by the political party for the accounts into which are deposited all contributions made to that political party;*
  - (h) *the names of the political party's signing officers responsible for each account referred to in clause (g);*
  - (i) *an indication of the provision of section 6(2) under which the political party qualified for registration;*
  - (j) *a statement of the assets and liabilities of the political party as of a date not earlier than 90 days prior to the date of its application for registration attested to by its chief financial officer.*
- (2) *On receipt of an application for registration of a political party, the Chief Electoral Officer shall examine the application and determine if the political party is entitled to be registered and*
- (a) *if the political party is entitled to be registered, enter it in the register of political parties and so inform the political party, or*
  - (b) *if the political party is not entitled to be registered, so inform the political party with written reasons for the determination.*
- (3) *The Chief Electoral Officer shall not register a political party if, in the Chief Electoral Officer's opinion,*
- (a.1) *the proposed name was the name of a registered political party whose registration was cancelled or whose name was changed since the last general election,*
- (4) *When there is any change in the information required to be provided by subsection (1)(a) to (i), the registered party shall notify the Chief Electoral Officer in writing within 30 days after the*

**(b) by adding the following after subsection (2):**

**(2.01)** The Chief Electoral Officer shall refuse to register a political party if the political party's assets, as set out in the statement referred to in subsection (1.2)(k), exceed \$5000.

**(2.02)** The Chief Electoral Officer shall refuse to register a political party that seeks to be qualified under section 6(d) if the information referred to in that section is provided to the Chief Electoral Officer fewer than 60 days before the issuance of a writ of election.

**(c) in subsection (3)(a.1) by striking out "registered political party" and substituting "registered party";**

**(d) in subsection (4) by striking out "subsection (1)(a) to (i)" and substituting "subsection (1.2)(a) to (i)";**

**(e) in subsection (5) by striking out "fax or electronic mail" and substituting "email or other electronic means approved by the Chief Electoral Officer".**

**(8) Section 8 is amended**

**(a) by repealing subsection (2) and substituting the following:**

**(2)** The Chief Electoral Officer shall maintain a register of constituency associations and, subject to this section, shall register in it any constituency association of a registered party or of an independent member in an electoral division that is qualified to be registered and that files with the Chief Electoral Officer an application for registration.

**(2.1)** An application for registration must set out the following:

- (a)** the full name of the constituency association and of the registered party or independent member endorsing the constituency association;
- (b)** the address of the place or places where records of the constituency association are maintained and of the place to which communications may be addressed;

*alteration and, subject to section 10, on receipt of the notice the Chief Electoral Officer shall vary the register of political parties accordingly.*

*(5) Notice under subsection (4) may be sent by fax or electronic mail.*

(8) Section 8 presently reads in part:

*(2) The Chief Electoral Officer shall maintain a register of constituency associations and, subject to this section, shall register in it any constituency association of a registered party or of an independent member in an electoral division that files with the Chief Electoral Officer an application for registration setting out*

- (a) the full name of the constituency association and of the registered party or independent member endorsing the constituency association;*
- (b) the address of the place or places where records of the constituency association are maintained and of the place to which communications may be addressed;*
- (c) the names of the principal officers of the constituency association;*
- (d) the name of the chief financial officer of the constituency association;*
- (e) the name and address of the financial institutions to be used by the constituency association for the accounts into which are deposited all contributions made to that constituency association;*

- (c) the names of the principal officers of the constituency association;
  - (d) the name of the chief financial officer of the constituency association;
  - (e) the name and address of the financial institution used by the constituency association for the account into which are deposited all contributions made to that constituency association;
  - (f) the names of the constituency association's signing officers responsible for each account referred to in clause (e);
  - (g) a statement of the assets and liabilities of the constituency association, as of a date not earlier than 90 days prior to the date of its application for registration, attested to by the chief financial officer.
- (b) in subsection (4) by striking out “subsection (2)(a) to (f)” and substituting “subsection (2.1)(a) to (f)”;**
- (c) in subsection (5) by striking out “fax or electronic mail” and substituting “email or other electronic means approved by the Chief Electoral Officer”.**

**(9) Section 9 is amended**

- (a) by repealing subsection (2) and substituting the following:**

**(2)** The Chief Electoral Officer shall maintain a register of candidates in relation to each election and, subject to this section, shall register in it any candidate who

- (a) is qualified to be registered,
- (b) files with the Chief Electoral Officer an application for registration, and
- (c) pays to the Chief Electoral Officer a deposit of \$500.

**(2.1)** An application for registration must set out the following:

- (f) the names of the constituency association's signing officers responsible for each account referred to in clause (e);*
  - (g) a statement of the assets and liabilities of the constituency association as of a date not earlier than 90 days prior to the date of its application for registration attested to by the chief financial officer.*
- (4) When there is any change in the information required to be provided by subsection (2)(a) to (f), the registered constituency association shall notify the Chief Electoral Officer in writing within 60 days after the alteration and, subject to section 10, on receipt of the notice the Chief Electoral Officer shall vary the register of constituency associations accordingly.*
- (5) Notice under subsection (4) may be sent by fax or electronic mail.*

**(9) Section 9 presently reads in part:**

- (2) The Chief Electoral Officer shall maintain a register of candidates in relation to each election and, subject to this section, shall register in it any candidate who is qualified to be registered and who files with the Chief Electoral Officer an application for registration setting out*
- (a) that, in the case of a candidate under the Election Act, the candidate*
    - (i) has been endorsed as the official candidate of a named registered party in a named electoral division and has enclosed with the candidate's application a statement to that effect attested to by one of the principal officers of the registered party or the applicable constituency association, or*

- (a) that, in the case of a candidate under the *Election Act*, the candidate
  - (i) has been endorsed as the official candidate of a named registered party in a named electoral division and has enclosed with the candidate's application a statement to that effect attested to by one of the principal officers of the registered party or the applicable constituency association, or
  - (ii) has, after the commencement of the campaign period, declared the candidate's candidacy as an independent candidate at the election in a named electoral division;
- (b) that, in the case of a candidate under the *Alberta Senate Election Act*, the candidate
  - (i) has been endorsed as an official candidate of a named registered party and has enclosed with the candidate's application a statement to that effect attested to by one of the principal officers of the registered party, or
  - (ii) has, after the commencement of the campaign period, declared the candidate's candidacy as an independent candidate at the election;
- (c) the full name and contact information of the candidate;
- (d) the political party affiliation, if any, of the candidate attested to by one of the principal officers of the constituency association;
- (e) the address of the place or places where records of the candidate are maintained and of the place to which communications may be addressed;
- (f) the name of the chief financial officer of the candidate;
- (g) the names and addresses of the financial institutions used by or on behalf of the candidate for the accounts into which are deposited contributions made to that candidate;

- (ii) *has, after the commencement of the campaign period, declared the candidate's candidacy as an independent candidate at the election in a named electoral division;*
  - (b) *that, in the case of a candidate under the Alberta Senate Election Act, the candidate*
    - (i) *has been endorsed as an official candidate of a named registered party and has enclosed with the candidate's application a statement to that effect attested to by one of the principal officers of the registered party, or*
    - (ii) *has, after the commencement of the campaign period, declared the candidate's candidacy as an independent candidate at the election;*
  - (c) *the full name and contact information of the candidate;*
  - (d) *the political party affiliation, if any, of the candidate attested to by one of the principal officers of the constituency association;*
  - (e) *the address of the place or places where records of the candidate are maintained and of the place to which communications may be addressed;*
  - (f) *the name of the chief financial officer of the candidate;*
  - (g) *the name and address of the financial institutions to be used by or on behalf of the candidate for the accounts into which are deposited contributions made to that candidate;*
  - (h) *the names of the signing authorities for each account referred to in clause (g).*
- (3.1) On the receipt by the Chief Electoral Officer of a statement referred to in section 9.3(10), the nomination contestant selected for endorsement as the official candidate of the registered party is deemed to be a registered candidate and is not required to file an application for registration referred to in subsection (2).*
- (4) When there is any change in the information required to be provided by subsection (2), the registered candidate shall notify the Chief Electoral Officer in writing within 48 hours after the alteration and, subject to section 10, on receipt of the notice the Chief Electoral Officer shall vary the register of candidates accordingly.*

(h) the names of the signing authorities for each account referred to in clause (g).

**(b) in subsection (3.1) by striking out “section 9.3(10)” and substituting “section 9.3(3)”;**

**(c) in subsection (4) by striking out “subsection (2)” and substituting “subsection (2.1)”;**

**(d) in subsection (4.1) by striking out “subsection (2)(c) to (h)” and substituting “subsection (2.1)(c) to (h)”;**

**(e) in subsection (5) by striking out “fax or electronic mail” and substituting “email or other electronic means approved by the Chief Electoral Officer”.**

**(10) The following is added after section 9:**

**Candidate deposit**

**9.01(1)** Subject to subsection (3), the Chief Electoral Officer may retain the deposit paid under section 9(2)(c) as payment of the late filing fee under section 43.2 if a campaign return is not filed within the time period referred to in section 43(2).

**(2)** If a campaign return is filed within the required time period, the deposit paid under section 9(2)(c) must be refunded to the chief financial officer of the candidate.

**(3)** If a candidate dies after being registered by the Chief Electoral Officer as a candidate but prior to the closing of the voting places as defined in the *Election Act* on election day, the deposit shall be refunded to the chief financial officer of the candidate.

**(4)** A deposit that is not refunded under this section or retained as payment of a late filing fee must be deposited by the Chief Electoral Officer into the General Revenue Fund.

**(5)** A deposit paid under section 9(2)(c) is not considered a campaign expense or an election expense.



*(4.1) A nomination contestant who is deemed under subsection (3.1) to be a registered candidate shall notify the Chief Electoral Officer in writing of any change in the information referred to in subsection (2)(c) to (h) within 48 hours of the change.*

*(5) Notice under subsection (4) may be sent by fax or electronic mail.*

(10) Candidate deposit.

**(11) Section 9.1 is amended**

- (a) in subsection (2) by striking out “and” at the end of clause (b), by adding “and” at the end of clause (c) and by adding the following after clause (c):**

- (d) a register of third parties who engage in referendum advertising.

- (b) by repealing subsection (2.1) and substituting the following:**

**(2.1)** Subject to this section, the Chief Electoral Officer shall register in the appropriate register any third party who is eligible to be registered and who files with the Chief Electoral Officer an application for registration.

**(2.2)** An application for registration must set out the following:

- (a) the name and contact information
- (i) if the third party is a person, of the person,
- (ii) if the third party is a corporation, of the corporation and of the officer who has signing authority for it, and
- (iii) if the third party is a group, of the group and of the principal officers of the group or, if there are no principal officers, of the principal members;
- (b) whether the third party will be engaging in election advertising, political advertising, Senate election advertising or referendum advertising;
- (c) in the case of a third party who engages or will be engaging in election advertising, Senate advertising or referendum advertising, the address and telephone number of the place or places in Alberta where records of the third party are maintained and of the place in Alberta to which communications may be addressed;
- (d) in the case of a third party who engages or will be engaging in political advertising, the address and telephone number of the place or places in Canada

(11) Section 9.1 presently reads in part:

*(2) The Chief Electoral Officer shall maintain separate registers as follows:*

- (a) a register of third parties who engage in election advertising,*
- (b) a register of third parties who engage in political advertising, and*
- (c) a register of third parties who engage in Senate election advertising.*

*(2.1) Subject to this section, the Chief Electoral Officer shall register in the appropriate register any third party who is eligible to be registered and who files with the Chief Electoral Officer an application for registration setting out the following:*

- (b) whether the third party will be engaging in election advertising or political advertising or both;*
- (c) in the case of a third party who engages or will be engaging in election advertising, the address and telephone number of the place or places in Alberta where records of the third party are maintained and of the place in Alberta to which communications may be addressed;*

*(5) The following are not eligible to be registered in a register referred to in subsection (2)(a):*

- (a) a corporation that does not carry on business in Alberta;*
- (b) a person who is not ordinarily resident in Alberta;*
- (c) a trade union or employee organization that is not an Alberta trade union or Alberta employee organization;*
- (d) a group where any member of the group is ineligible under clause (a), (b) or (c);*
- (e) a registered charity;*
- (f) a prohibited corporation.*

*(8) A notice under subsection (7) may be sent by fax or electronic mail.*

where records of the third party are maintained and of the place in Canada to which communications may be addressed;

- (e) the name and contact information of the chief financial officer responsible for the advertising account of the third party;
- (f) the name and address of the financial institution used by the third party for its advertising account;
- (g) the names of the signing authorities for the advertising account;
- (h) any additional information required by the Chief Electoral Officer concerning the advertising account.

**(c) by adding the following after subsection (5):**

**(5.1)** The following are not eligible to be registered in a register referred to in subsection (2)(b), (c) or (d):

- (a) a person who is not
  - (i) a Canadian citizen or permanent resident as defined in the *Immigration and Refugee Protection Act* (Canada), and
  - (ii) ordinarily resident in Canada;
- (b) a corporation, unincorporated association or organization that is incorporated, formed or otherwise organized outside Canada and
  - (i) that does not carry on business in Canada, or
  - (ii) whose only business activity in Canada consists of doing anything to influence electors to vote or refrain from voting or to vote or refrain from voting for a specific registered candidate or registered party;
- (c) a trade union that does not hold bargaining rights for employees in Canada;



- (d) an employee organization that does not hold bargaining rights for employees in Canada;
- (e) a political party, constituency association or candidate;
- (f) a third party that the Chief Electoral Officer determines is affiliated with a registered party.

**(5.2)** In determining whether a third party is affiliated with a registered party, the Chief Electoral Officer shall consider all relevant information, including, as applicable, the following:

- (a) the organization of the third party, including whether a person holding any of the following positions with the third party holds the same or a similar position with the registered party:
  - (i) the chief financial officer;
  - (ii) a signing officer;
  - (iii) if the third party is a group, a principal officer of the group, or if there are no principal officers, a principal member;
- (b) any interactions or agreements between the third party and the registered party, including interactions or agreements that may indicate that the third party is under the control of the registered party;
- (c) the extent to which the third party participates in the decision-making process of the registered party pursuant to the constitution or founding documents of the registered party;
- (d) the activities of the third party, the registered party and the registered constituency associations and registered candidates of the registered party, including the extent to which the third party has been involved in electoral campaigns or made public statements in support of or in opposition to the registered party, a registered candidate of the registered party, any other registered party or a registered candidate of any other registered party;



(e) the political programs, advertising materials and policy statements of the third party or registered party.

**(d) in subsection (8) by striking out “fax or electronic mail” and substituting “email or other electronic means approved by the Chief Electoral Officer”.**

**(12) Section 9.2 is amended**

**(a) in subsection (1) by adding “and” at the end of clause (a), by striking out “and” at the end of clause (b) and by repealing clause (c);**

**(b) by repealing subsection (4) and substituting the following:**

**(4)** A person who intends to seek the leadership of a registered party shall file an application for registration with the Chief Electoral Officer under this section when the person has announced the person’s intention to seek the leadership of the registered party.

**(c) by repealing subsection (5);**

**(d) in subsection (9) by striking out “fax or electronic mail” and substituting “email or other electronic means approved by the Chief Electoral Officer”.**



(12) Section 9.2 presently reads in part:

*9.2(1) Before a leadership contest is held by a registered party, the chief financial officer of the registered party shall file with the Chief Electoral Officer a statement, in the form and manner approved by the Chief Electoral Officer, setting out the particulars of the leadership contest, including*

- (a) the date of the official call of the leadership contest,*
- (b) the date fixed for the leadership vote or votes, and*
- (c) if a fee or deposit is required to be paid by a person as a condition of entering the leadership contest, the estimated cost for holding the leadership contest and the amount of the fee or deposit.*

*(4) A person who intends to seek the leadership of a registered party shall file an application for registration with the Chief Electoral Officer under this section at the earliest of the following:*

- (a) when the person has announced his or her intention to seek the leadership of a registered party;*
- (b) when the person has incurred campaign expenses in relation to the person's leadership campaign;*
- (c) when the person has received contributions in relation to the person's leadership campaign.*

*(5) A person who fails to file an application for registration as required under subsection (4) shall not incur a campaign expense or accept a contribution during the campaign period for the leadership contest.*

*(9) Notice under subsection (8) may be sent by fax or electronic mail.*

**(13) Section 9.3 is repealed and the following is substituted:**

**Nomination contests and contestants**

**9.3(1)** Within 15 days after the date referred to in clause (b), the chief financial officer of a registered party or registered constituency association shall file with the Chief Electoral Officer a statement, in the form and manner approved by the Chief Electoral Officer, setting out the particulars of the nomination contest, including the following:

- (a) the date of the official call of the nomination contest;
- (b) the date fixed for the selection of a person for endorsement as the official candidate of the registered party for an electoral division;
- (c) the names and contact information of each nomination contestant, including any nomination contestant who withdrew from the nomination contest, and of the chief financial officer of each nomination contestant;
- (d) the name of the person selected for endorsement as the official candidate of the registered party for the electoral division and the name of the chief financial officer of that person;
- (e) the registered party in respect of which the nomination contest was held;
- (f) the electoral division in respect of which the nomination contest was held.

**(2)** A person is deemed to be a nomination contestant beginning on the date on which the earliest of the following occurs:

- (a) the person announces the person's intention to seek the endorsement as the official candidate of the registered party for the electoral division;
- (b) the person first receives a contribution;
- (c) the person first incurs a campaign expense;
- (d) the person first borrows money for the purposes of this Act.

(13) Section 9.3 presently reads:

*9.3(1) Before a nomination contest is held by a registered party or registered constituency association, the chief financial officer of the registered party or registered constituency association shall file with the Chief Electoral Officer a statement, in the form and manner approved by the Chief Electoral Officer, setting out the particulars of the nomination contest, including*

- (a) the date of the official call of the nomination contest,*
- (b) the date fixed for the selection of the person for endorsement as the official candidate of the registered party for an electoral division, and*
- (c) if a fee or deposit is required to be paid by a person as a condition of entering the nomination contest, the estimated cost for holding the nomination contest and the amount of the fee or deposit.*

*(2) If a fee or deposit is required to be paid as a condition of entering the nomination contest, the amount of the fee or deposit must be reasonable in relation to the cost of holding the nomination contest.*

*(3) If the Chief Electoral Officer is of the opinion that the amount of the fee or deposit is not reasonable, the registered party shall reduce the amount to an amount acceptable to the Chief Electoral Officer or comply with any direction of the Chief Electoral Officer.*

*(4) A person who intends to seek endorsement as the official candidate of a registered party in an electoral division shall file an application for registration with the Chief Electoral Officer under this section at the earliest of the following:*

- (a) when the person has announced his or her intention to seek the endorsement as the official candidate of the registered party for the electoral division;*
- (b) when the person has incurred campaign expenses in relation to the person's nomination campaign;*
- (c) when the person has received contributions in relation to the person's nomination campaign.*

**(3)** Within 30 days after the date referred to in subsection (1)(b), the registered party or registered constituency association shall file with the Chief Electoral Officer a statement, in the form and manner approved by the Chief Electoral Officer, setting out the following information in respect of each nomination contestant:

- (a) the name and contact information of the nomination contestant;
- (b) the addresses of the place or places where records of the nomination contestant are maintained and of the place to which communications may be addressed;
- (c) the name and contact information of the chief financial officer of the nomination contestant;
- (d) the name and address of the financial institution where an account has been opened to be used by or on behalf of the nomination contestant for the purpose of participating in the nomination contest;
- (e) the names of the signing authorities for the account referred to in clause (d);
- (f) the date on which the person announced the person's intention to seek the endorsement as the official candidate of the registered party for the electoral division, first received a contribution, first incurred a campaign expense or first borrowed money for the purposes of this Act, whichever is the earliest.

**(4)** On receipt of the statement filed under subsection (1), the Chief Electoral Officer shall publish on the Chief Electoral Officer's website the following information in respect of a nomination contest:

- (a) the date fixed for the selection of a person for endorsement as the official candidate of the registered party for an electoral division;
- (b) the name of each nomination contestant, including any nomination contestant who withdrew from the nomination contest;

*(5) A person who fails to file an application for registration as required under subsection (4) shall not accept a contribution or incur a campaign expense during the campaign period for the nomination contest.*

*(6) The application for registration must set out*

- (a) the full name and contact information of the nomination contestant,*
- (b) the addresses of the place or places where records of the nomination contestant are maintained and of the place to which communications may be addressed,*
- (c) the name and contact information of the chief financial officer of the nomination contestant,*
- (d) the name and address of the financial institution where an account has been opened to be used by or on behalf of the nomination contestant for the purpose of participating in the nomination contest,*
- (e) the names of the signing authorities for the account referred to in clause (d), and*
- (f) the date the person first received contributions or incurred expenses for the purpose of participating in the nomination contest.*

*(7) The Chief Electoral Officer shall maintain a register of nomination contestants.*

*(8) When there is any change in the information required to be provided under subsection (6), the registered nomination contestant shall notify the Chief Electoral Officer in writing within 48 hours after the change and, subject to section 10, on receipt of the notice the Chief Electoral Officer shall vary the register of nomination contestants accordingly.*

*(9) Notice under subsection (8) may be sent by fax or electronic mail.*

*(10) Within 10 days of the conclusion of a nomination contest, the registered party or registered constituency association shall submit to the Chief Electoral Officer a statement setting out the full names of the nomination contestants who were considered for endorsement, the full name of the person selected for endorsement as the official candidate of the registered party for the electoral division and the names of any persons who withdrew as nomination contestants.*

- (c) the name of each nomination contestant's chief financial officer;
- (d) the registered party in respect of which the nomination contest was held;
- (e) the electoral division in respect of which the nomination contest was held;
- (f) the name of the person selected for endorsement as the official candidate of the registered party for the electoral division.

**(5)** When there is any change to the information required to be provided under subsection (3) in respect of a nomination contestant, the nomination contestant shall notify the Chief Electoral Officer in writing within 48 hours after the change, and the Chief Electoral Officer shall update the information published on the Chief Electoral Officer's website under subsection (4), if necessary.

**(6)** Notice under subsection (5) may be sent by email or other electronic means approved by the Chief Electoral Officer.

**(14) Section 10 is amended**

**(a) by repealing subsection (2.2);**

**(b) by adding the following after subsection (4.3):**

**(4.4)** If the chief financial officer of a third party fails to file a weekly report under section 40(1) of the *Citizen Initiative Act*, an initiative advertising return or expense limit report under section 41 of that Act or an audited financial statement under section 42 of that Act, the Chief Electoral Officer may cancel the registration of the third party.

**(4.5)** If the chief financial officer of a third party fails to file a weekly report under section 38 of the *Recall Act*, a recall advertising return or expense limit report under section 39 of that Act or an audited financial statement under section 40 of that Act, the Chief Electoral Officer may cancel the registration of the third party.

(14) Section 10 presently reads in part:

*(2.2) If a registered nomination contestant withdraws from a nomination contest, that person shall so notify the Chief Electoral Officer in writing and the Chief Electoral Officer shall cancel the registration of that person as a nomination contestant.*

*(4.3) If the chief financial officer of a third party fails to file a weekly report under section 44.949999, a referendum advertising return or report under section 44.9499991 or an audited financial statement under section 44.9499992, the Chief Electoral Officer may cancel the registration of the third party.*

*(5) If the Chief Electoral Officer is for any reason of the opinion that a registered party, registered constituency association, registered candidate, registered nomination contestant, registered leadership contestant or registered third party*

*(a) is no longer qualified to be registered, or*

*(b) obtained registration on the basis of an application that was false in any material particular,*

**(c) in subsection (5) by striking out “registered nomination contestant,” wherever it occurs;**

**(d) by adding the following after subsection (5):**

**(5.1)** If the Chief Electoral Officer determines under section 9.1(5.2) that a third party is affiliated with a registered party, the Chief Electoral Officer may cancel the registration of the third party.

**(e) in subsection (6)**

**(i) by striking out “registered nomination contestant,”;**

**(ii) by adding “or” at the end of clause (d) and by repealing clause (d.1);**

**(f) in subsections (7) and (8) by striking out “nomination contestant,”;**

**(g) in subsection (9)**

**(i) by striking out “nomination contestant,”;**

**(ii) by repealing clause (c.1);**

**(h) in subsection (12) by striking out “, nomination contestant” wherever it occurs;**

**(i) by repealing subsection (13) and substituting the following:**

**(13)** When the registration of a third party is cancelled, all funds in the advertising account, Senate election advertising account or referendum advertising account must be dealt with in accordance with section 44.92, 44.94991 or 44.9499993, as the case may be.



*the Chief Electoral Officer may cancel the registration of the registered party, registered constituency association, registered candidate, registered nomination contestant, registered leadership contestant or registered third party.*

*(6) If the Chief Electoral Officer cancels the registration of a political party, constituency association, candidate, registered nomination contestant, leadership contestant or third party, the Chief Electoral Officer shall send written notice of the cancellation, together with the Chief Electoral Officer's reasons for the cancellation, by recorded mail to*

*(d) the third party, when the registration of that third party is cancelled,*

*(d.1) the nomination contestant and the registered party and registered constituency association concerned when the registration of that nomination contestant is cancelled, or*

*and the cancellation is effective on and after the 3rd day following the date of mailing the notice.*

*(7) A political party, constituency association, candidate, nomination contestant, leadership contestant or third party notified under subsection (6) may, within 30 days after the mailing of the notice, request the Chief Electoral Officer in writing to review the cancellation.*

*(8) When the Chief Electoral Officer receives a written request under subsection (7), the Chief Electoral Officer shall, within 48 hours after that receipt, review the cancellation and give the political party, constituency association, candidate, nomination contestant, leadership contestant or third party concerned an opportunity to make representations.*

*(9) Following the review of a cancellation, the Chief Electoral Officer may withdraw or confirm the cancellation of the registration of the political party, constituency association, candidate, nomination contestant, leadership contestant or third party, as the case may be, and shall,*

*(c.1) if the cancellation involves a nomination contestant, give written notification of the Chief Electoral Officer's decision to the nomination contestant and the registered party and registered constituency association concerned,*

**(15) Section 10.1(1) is amended by striking out “registered nomination contestant” wherever it occurs and substituting “nomination contestant”.**

**(16) Section 11(2) is amended by striking out “or of a registered nomination contestant included in the register under section 9.3” and substituting “or of a nomination contestant included in a statement filed under section 9.3(3)”.**

**(17) Section 11.1(2) is amended by striking out “section 7(1)” and substituting “section 7(1.2)”.**

*(12) When the registration of a political party, constituency association, candidate, nomination contestant or leadership contestant is cancelled, all funds of the political party, constituency association, candidate, nomination contestant or leadership contestant not required to pay the outstanding debts of the political party, constituency association, candidate, nomination contestant or leadership contestant shall be paid over to the Chief Electoral Officer and held by the Chief Electoral Officer in trust for the political party, constituency association, candidate, nomination contestant or leadership contestant and, if that political party, constituency association, candidate, nomination contestant or leadership contestant does not again become registered under this Act within a period of one year following cancellation of the registration, the funds shall be paid into the General Revenue Fund.*

*(13) When the registration of a third party is cancelled, all funds in the advertising account or Senate election advertising account must be dealt with in accordance with section 44.92 or section 44.94991, as the case may be.*

(15) Section 10.1(1) presently reads:

*10.1(1) A registered party, registered constituency association, registered candidate, registered nomination contestant, registered leadership contestant and registered third party shall retain all of the records of that registered party, registered constituency association, registered candidate, registered nomination contestant, registered leadership contestant or registered third party for a period of 3 years following the date on which the financial statements, returns or reports required under this Act for the period to which the records relate are required to be filed.*

(16) Section 11(2) presently reads:

*(2) Notwithstanding subsection (1), the home address of a registered candidate included in the register under section 9, of a registered leadership contestant included in the register under section 9.2 or of a registered nomination contestant included in the register under section 9.3 is not public information.*

(17) Section 11.1(2) presently reads:

*(2) An application for registration of a successor party must be filed with the Chief Electoral Officer in accordance with section 7(1) and must also*

**(18) Section 11.5(2) is repealed.**

**(19) Section 12(4) is amended by striking out “the Crown in right of Alberta” and substituting “a registered charity”.**

- (a) *be signed by the leader and one principal officer of each of the registered predecessor parties of the successor party, and*
- (b) *be accompanied by resolutions approving the merger passed by each of the registered predecessor parties of the successor party.*

(18) Section 11.5(2) presently reads:

*(2) Despite section 6(5), the funds held by a foundation established by a registered predecessor party may be transferred to the foundation established or continued by its successor party in accordance with the following conditions:*

- (a) *the assets of the foundation established or continued by the successor party shall not exceed \$5000;*
- (b) *any funds remaining in the foundation established by the registered predecessor party that would cause the assets of the foundation established or continued by the successor party to exceed \$5000 shall be transferred to the registered successor party.*

(19) Section 12(4) presently reads:

*(4) If a candidate is not nominated or does not declare the candidate's candidacy as an independent candidate for the next election, the candidate shall, not later than 7 days after the day fixed for nominations, transfer or pay the amount held by the candidate in trust pursuant to subsection (1) to*

- (a) *the registered party that proposed or supported the candidate's registration at the previous election,*
- (b) *the registered constituency associations of the registered party that proposed or supported the candidate's registration at the previous election,*
- (c) *the registered candidates of the registered party that proposed or supported the candidate's registration at the previous election, or*
- (d) *the registered successor party or the registered constituency associations or registered candidates of the registered successor party, if the candidate's registration was proposed*

**(20) Section 13 is amended**

- (a) in subsection (1)(a) by striking out** “a foundation under section 6 or”;
- (b) in subsection (3)**
  - (i) by striking out** “to enter a nomination contest or” **and substituting** “to a registered party to enter”;
  - (ii) by striking out** “or registered constituency association that receives the funds”.

**(21) Section 14(1) and (2) are amended by striking out** “registered nomination contestant” **and substituting** “nomination contestant”.

**(22) Section 16 is repealed and the following is substituted:**

**Contributions only by persons**

**16** No contributions to a registered party, registered constituency association, nomination contestant, registered leadership contestant or registered candidate shall be made other than by a person ordinarily resident in Alberta.

*or supported by a registered predecessor party of the  
registered successor party at the previous election,*

*at the option of the candidate, or to the Crown in right of Alberta if  
the funds cannot be transferred in accordance with clause (a), (b)  
or (c).*

(20) Section 13 presently reads in part:

*13(1) Funds transferred from*

*(a) a foundation under section 6 or a trust under section 12, or*

*(3) A fee or deposit required to be paid by a person to enter a  
nomination contest or a leadership contest is not a contribution for  
the purposes of this Act but must be recorded as to amount and  
source by the registered party or registered constituency association  
that receives the funds.*

(21) Section 14 presently reads:

*14(1) All financial contributions accepted by or on behalf of a  
registered party, registered constituency association, registered  
candidate, registered nomination contestant or registered leadership  
contestant shall be paid into an appropriate account on record with  
the Chief Electoral Officer.*

*(2) When any contribution of other than money, accepted by or on  
behalf of a registered party, registered constituency association,  
registered candidate, registered nomination contestant or registered  
leadership contestant, is converted at any time into money, that  
amount shall be paid into an appropriate account on record with the  
Chief Electoral Officer.*

(22) Section 16 presently reads:

*16(1) Only a person ordinarily resident in Alberta may make a  
contribution to a registered party, registered constituency  
association, registered nomination contestant, registered leadership  
contestant or registered candidate.*

*(2) A prohibited person or entity shall not make a contribution to a  
registered party, registered constituency association, registered  
nomination contestant, registered leadership contestant or  
registered candidate.*

**(23) Section 17 is amended**

- (a) by repealing subsection (1)(d);**
- (b) in subsection (3) by striking out “an election” and substituting “a general election or by-election”;**
- (c) in subsection (4) by striking out “registered nomination contestant” and substituting “nomination contestant”;**
- (d) in subsection (6)**
  - (i) by striking out “registered nomination contestant’s” and substituting “nomination contestant’s”;**
  - (ii) in clause (b) by striking out “registered nomination contestant” and substituting “nomination contestant”;**
- (e) in subsection (7)**
  - (i) by striking out “registered nomination contestant” and substituting “nomination contestant”;**
  - (ii) by striking out “registered nomination contestant’s” wherever it occurs and substituting “nomination contestant’s”;**
- (f) in subsection (8)**
  - (i) by striking out “registered nomination contestant’s” wherever it occurs;**
  - (ii) by striking out “registered nomination contestant”.**



(23) Section 17 presently reads in part:

*(1) Contributions by a person ordinarily resident in Alberta shall not exceed in any year \$4000, as adjusted in accordance with section 41.5, in the aggregate to any of the following or to any combination of them:*

*(d) a registered nomination contestant;*

*(3) No contributions may be made to a registered candidate except during a campaign period for an election.*

*(4) No contributions may be made to a registered nomination contestant except during the campaign period for the nomination contest.*

*(6) Any money paid during a campaign period out of the registered candidate's, registered nomination contestant's or registered leadership contestant's own funds for the purposes of the campaign for which the person is not reimbursed from the person's campaign account*

*(b) must be paid into the account of the registered candidate, registered nomination contestant or registered leadership contestant on record with the Chief Electoral Officer.*

*(7) Subject to this section, a registered candidate, registered nomination contestant or registered leadership contestant may lawfully contribute to the registered candidate's, registered nomination contestant's or registered leadership contestant's campaign an amount from the registered candidate's, registered nomination contestant's or registered leadership contestant's own funds.*

*(8) If the registered candidate's, registered nomination contestant's or registered leadership contestant's campaign expenses paid from the registered candidate's, registered nomination contestant's or registered leadership contestant's own funds exceed the maximum limit allowed for a contributor, the excess amount must be reimbursed to the registered candidate, registered nomination contestant or registered leadership contestant from the registered candidate's, registered nomination contestant's or registered leadership contestant's campaign account, as the case may be.*

**(24) Section 19(1) and (2) are amended by striking out “, registered nomination contestant” wherever it occurs.**

**(25) Sections 21.1(1) and 22 to 24 are amended by striking out “registered nomination contestant” wherever it occurs and substituting “nomination contestant”.**

(24) Section 19 presently reads:

*19(1) No registered party, registered constituency association, registered candidate, registered nomination contestant or registered leadership contestant and no person acting on its, his or her behalf shall accept a contribution if the registered party, registered constituency association, registered candidate, registered nomination contestant or registered leadership contestant or person knows or ought to know that the amount of the contribution would exceed the limit prescribed by section 17.*

*(2) A chief financial officer who learns that a contribution in excess of the limit prescribed by section 17 was accepted by or on behalf of the registered party, registered constituency association, registered candidate, registered nomination contestant or registered leadership contestant for whom the chief financial officer acts shall, within 30 days after learning of the excessive contribution, advise the Chief Electoral Officer in writing of the fact and circumstances and return the contribution in accordance with the directions of the Chief Electoral Officer.*

(25) Sections 21.1(1) and 22 to 24 presently read:

*21.1(1) Any anonymous contribution in excess of \$50 and any contribution or portion of a contribution made in contravention of this Act accepted by a registered party, registered constituency association, registered candidate, registered nomination contestant or registered leadership contestant must not be used or expended, and the registered party, registered constituency association, registered candidate, registered nomination contestant or registered leadership contestant*

*(a) shall return the contribution to the contributor if the contributor's identity can be established, or*

*(b) if the contributor's identity cannot be established, shall pay an amount equivalent to the contribution to the Chief Electoral Officer.*

*22(1) The value of contributions other than money provided to a registered party, registered constituency association, registered candidate, registered nomination contestant or registered leadership contestant is the market value of the contribution at that time.*

*(2) If any real property, goods or services, or the use of real property, goods or services, is provided to or for the benefit of a*



*registered party, registered constituency association, registered candidate, registered nomination contestant or registered leadership contestant for a price that is less than the market value at that time, the amount by which the value exceeds the price is a contribution for the purposes of this Act.*

*23(1) In this section, “fund-raising function” includes any social function held for the purpose of raising funds for the registered party, registered constituency association, registered candidate, registered nomination contestant or registered leadership contestant by whom or on whose behalf the function is held.*

*(2) The gross income from any fund-raising function must be recorded by the chief financial officer of the registered party, registered constituency association, registered candidate, registered nomination contestant or registered leadership contestant that held the function or on whose behalf the function was held.*

*(3) If a fund-raising function is held by the sale of tickets by or on behalf of a registered party, registered constituency association, registered candidate, registered nomination contestant or registered leadership contestant, the amount of the contribution is to be determined under clause (a) or under clause (b), at the option of the registered party, registered constituency association, registered candidate, registered nomination contestant or registered leadership contestant:*

*(a) if the individual charge*

*(i) is \$50 or less, it is not considered to be a contribution unless the person who pays the charge specifically requests that it be so considered, in which case 1/2 of the amount is allowed for expenses and 1/2 is considered to be a contribution,*

*(ii) is more than \$50 but not more than \$100, \$25 is allowed for expenses and the balance is considered to be a contribution, and*

*(iii) is more than \$100, 25% of the amount is allowed for expenses and the balance is considered to be a contribution;*

*(b) the amount of the contribution is the difference between the price of the ticket and the market value of what the ticket entitles the bearer to obtain.*

**(26) Section 25 is amended**

- (a) by renumbering it as section 25(1);**
- (b) in subsection (1) by striking out “An annual membership fee paid for” and substituting “An annual membership fee paid by a person for the person’s own”;**
- (c) by adding the following after subsection (1):**
  - (2)** An annual membership fee paid by a person on behalf of another person for that person’s membership in a political party or in a constituency association of that party, or in both, is a contribution by the person who paid the fee for the purposes of this Act.

**(27) Section 29 is amended**

- (a) in subsection (1) by striking out “, nomination contestant”;**
- (b) by adding the following after subsection (1):**
  - (1.1)** A person who intends to seek endorsement as the official candidate of a registered party in an electoral division shall

*(4) The price paid by a person at a fund-raising function in excess of the market value at that time for goods or services received is considered to be a contribution to the registered party, registered constituency association, registered candidate, registered nomination contestant or registered leadership contestant, as the case may be.*

*24 When, at a meeting held on behalf of or in relation to the affairs of a registered candidate, registered party, registered constituency association, registered nomination contestant or registered leadership contestant, money is given in response to a general collection of money solicited from the persons in attendance at the meeting, individual amounts given of \$50 or less shall be considered not to be contributions for the purposes of this Act but shall be recorded as to the gross amount by the chief financial officer of the candidate, political party, constituency association, nomination contestant or leadership contestant, as the case may be.*

(26) Section 25 presently reads:

*25 An annual membership fee paid for membership in a political party or in a constituency association of that party, or in both, is not a contribution for the purposes of this Act if*

- (a) the fee or, when a fee is paid to the party and to a constituency association of that party, the total of those fees, does not exceed \$50, and*
- (b) the political party and constituency association each maintain a membership list indicating the amount of the fee or fees paid by each member that is allocated to the political party or constituency association, as the case may be,*

*but if the fee or total of those fees exceeds \$50, the amount of the excess shall be considered as a contribution.*

(27) Section 29 presently reads in part:

*29(1) Every political party, constituency association, candidate, nomination contestant and leadership contestant shall, before filing an application for registration with the Chief Electoral Officer, appoint a chief financial officer.*

*(2) When a chief financial officer appointed pursuant to subsection (1) ceases for any reason to hold that office, the political party, constituency association, candidate, nomination contestant or leadership contestant, as the case may be, shall forthwith appoint another chief financial officer.*

appoint a chief financial officer before the date on which the earliest of the following occurs:

- (a) the person announces the person's intention to seek the endorsement as the official candidate of the registered party for the electoral division;
- (b) the person first receives a contribution;
- (c) the person first incurs a campaign expense;
- (d) the person first borrows money for the purposes of this Act.

**(c) in subsection (2) by adding “or (1.1)” after “subsection (1)”.**

**(28) Sections 30 and 31 are amended by striking out “registered nomination contestant” wherever it occurs and substituting “nomination contestant”.**



(28) Sections 30 and 31 presently read:

*30(1) The chief financial officer of a registered party, registered constituency association, registered candidate, registered nomination contestant or registered leadership contestant is responsible, with respect to the affairs of the party, constituency association, candidate, nomination contestant or leadership contestant that appointed the chief financial officer, for ensuring that*

- (a) proper records are kept of all revenue, expenses, assets and liabilities, as required for the purposes of this Act,*
- (b) contributions are placed in an account on record with the Chief Electoral Officer,*
- (c) proper receipts are completed and dealt with in accordance with this Act,*
- (c.1) every payment of more than \$25 made by the registered party, registered constituency association, registered candidate, registered nomination contestant or registered leadership contestant or through the chief financial officer is vouched for by*
  - (i) a document from the supplier that states the particulars of the expense, and*

**(29) Section 32 is amended**

- (a) by repealing subsection (1) and substituting the following:**

**Records of contributions**

**32(1)** When the chief financial officer of a registered party, registered constituency association, registered candidate, nomination contestant or registered leadership contestant accepts contributions in any year on behalf of the registered party, registered constituency association, registered candidate, nomination contestant or registered leadership contestant, the chief financial officer shall record all the contributions, including the names and addresses of the contributors and the dates on which the contributions were made.

- (b) in subsection (2) by striking out “registered nomination contestant” and substituting “nomination contestant”;**
- (c) in subsection (3) by striking out “and registered constituency association”;**
- (d) in subsection (4.2) by striking out “registered nomination contestant” and substituting “nomination contestant”.**

- (ii) *a receipt or other proof of payment acceptable to the Chief Electoral Officer;*
- (d) *the financial statements, returns and reports required to be filed under this Act are filed with the Chief Electoral Officer, and*
- (e) *contributions of other than money are valued and recorded in accordance with this Act.*

*(2) The chief financial officer of a registered party, registered constituency association, registered candidate, registered nomination contestant or registered leadership contestant shall make every reasonable effort to advise prospective contributors of the provisions of this Act relating to contributions.*

*31 No contribution shall be accepted by a registered candidate, registered nomination contestant or registered leadership contestant otherwise than through the candidate's, nomination contestant's or leadership contestant's chief financial officer.*

(29) Section 32 presently reads in part:

*32(1) When any person accepts contributions in any year on behalf of a registered party, registered constituency association, registered candidate, registered nomination contestant or registered leadership contestant, the chief financial officer shall record all the contributions, including the names and the addresses of the contributors and the dates on which the contributions were made.*

*(2) All contributions referred to in subsection (1) accepted on behalf of a registered party, registered candidate, registered nomination contestant or registered leadership contestant during a campaign period shall be recorded separately from other contributions accepted during that year.*

*(3) Every registered party and registered constituency association shall file with the Chief Electoral Officer, in the form and manner approved by the Chief Electoral Officer,*

- (a) *within 15 days after the end of each quarter of each year a return setting out*
  - (i) *the total amount of all contributions received during the quarter that did not exceed \$50 in the aggregate from any single contributor, and*

**(30) Section 33 is amended by striking out “registered nomination contestant” and substituting “nomination contestant”.**

- (ii) *the total amount contributed, together with the contributor's name and address, when the contribution of that contributor during the quarter exceeded an aggregate of \$50,*

*and*

- (b) *within the period during which an annual financial statement must be filed under section 42, a return setting out for the previous year*
  - (i) *the total amount of all contributions received that did not exceed \$50 in the aggregate from any single contributor, and*
  - (ii) *the total amount contributed that, together with the contributor's name and address, when the contribution of that contributor during the year exceeded an aggregate of \$50.*

*(4.2) Every registered nomination contestant shall file with the Chief Electoral Officer a report setting out, in the form and manner approved by the Chief Electoral Officer,*

- (a) *the total amount of all contributions received during the campaign period for the nomination contest that did not exceed \$250 in the aggregate from any single contributor, and*
- (b) *the total amount contributed, together with the contributor's name and address, when the contribution of that contributor during the campaign period for the nomination contest exceeded \$250 in the aggregate.*

(30) Section 33 presently reads:

*33 Every registered party, registered constituency association, registered candidate, registered nomination contestant and registered leadership contestant shall issue a receipt in the form and manner approved by the Chief Electoral Officer for every contribution accepted, and the receipt must indicate*

- (a) *whether it has been issued in respect of an election under the Election Act, an election under the Alberta Senate Election Act or a nomination contest or leadership contest,*

**(31) Section 34 is amended**

**(a) in subsection (1)**

- (i) by striking out** “registered nomination contestant” **wherever it occurs and substituting** “nomination contestant”;
- (ii) by striking out** “another person or any prohibited person or entity” **and substituting** “any person or organization”;

**(b) by repealing subsection (1.1) and substituting the following:**

**(1.1)** No person or organization shall give or furnish funds to a person for the purpose of having that person make a contribution of the funds to a registered party, registered constituency association, registered candidate, nomination candidate or registered leadership contestant.

**(c) in subsections (2) and (3) by striking out** “registered nomination contestant” **wherever it occurs and substituting** “nomination contestant”.

- (b) *that the contributor acknowledges that the contribution is made in compliance with this Act, and*
- (c) *where information about the making of contributions can be found.*

(31) Section 34 presently reads:

*34(1) No person shall contribute to a registered party, registered constituency association, registered candidate, registered nomination contestant or registered leadership contestant*

- (a) funds not actually belonging to that person, or*
- (b) funds that have been given or furnished to the person by another person or any prohibited person or entity for the purpose of making a contribution of those funds to that registered party, registered constituency association, registered candidate, registered nomination contestant or registered leadership contestant.*

*(1.1) No person and no prohibited person or entity shall give or furnish funds to another person for the purpose of having that other person make a contribution of those funds to a registered party, registered constituency association, registered candidate, registered nomination contestant or registered leadership contestant.*

*(2) No registered party, registered constituency association, registered candidate, registered nomination contestant or registered leadership contestant and no person acting on behalf of a registered party, registered constituency association, registered candidate, registered nomination contestant or registered leadership contestant shall solicit or accept a contribution if the registered party, registered constituency association, registered candidate, registered nomination contestant, registered leadership contestant or person knows or ought to know that the contribution is contrary to subsection (1).*

*(3) If the chief financial officer learns that a contribution received by or on behalf of the registered party, registered constituency association, registered candidate, registered nomination contestant or registered leadership contestant for whom the chief financial officer acts was made contrary to subsection (1), the chief financial officer shall, within 30 days after learning that the contribution was made contrary to subsection (1), advise the Chief Electoral Officer in writing of the fact and circumstances.*

**(32) Sections 35(1) and 36 are amended by striking out “registered nomination contestant” wherever it occurs and substituting “nomination contestant”.**

**(33) Section 38(2) is amended by striking out “registered nomination contestants” and substituting “nomination contestants”.**

**(34) Section 39.2 is repealed and the following is substituted:**

**Monetary claims against candidate, nomination contestant or leadership contestant**

**39.2(1)** Subject to subsection (2), unless a person who has a monetary claim against a candidate for or in respect of an election, a nomination contestant for or in respect of a nomination contest or a leadership contestant for or in respect of a leadership contest sends in the claim to the chief financial officer of the



(32) Sections 35(1) and 36 presently read:

*35(1) No registered party, registered constituency association, registered candidate, registered nomination contestant or registered leadership contestant shall, directly or indirectly,*

- (a) solicit or accept a contribution if the registered party, registered constituency association, registered candidate, registered nomination contestant or registered leadership contestant knows or ought to know that the prospective contributor is a prohibited person or entity, or*
- (b) contribute or transfer funds to any political party, constituency association or candidate not registered under this Act.*

*36 No registered party, registered constituency association, registered candidate, registered nomination contestant or registered leadership contestant may accept funds from a federal political party, electoral district association or candidate registered under the Canada Elections Act (Canada) in respect of an election under the Elections Act or a nomination contest or leadership contest under this Act.*

(33) Section 38(2) presently reads:

*(2) A registered party and any of its registered constituency associations, registered candidates, registered nomination contestants and registered leadership contestants may transfer to and accept from each other goods or services or the use of goods or services, and the goods or services or the use of goods or services so accepted shall not be considered as contributions for the purposes of this Act but shall be recorded as to source and amount.*

(34) Section 39.2 presently reads:

*39.2(1) Subject to subsection (2), unless a person who has a monetary claim against a candidate for or in respect of an election sends in the claim to the chief financial officer of the candidate not later than the date determined under section 43.1(6), the right to recover the claim is barred.*

*(2) In the case of the death of a person having a monetary claim under subsection (1) on or before the date determined under section 43.1(6), unless the person's legal representative sends in the claim within one year after the death of the person, the right to recover the claim is barred.*

candidate, nomination contestant or leadership contestant, as the case may be, not later than the date determined under section 43.1(6), the right to recover the claim is barred.

(2) In the case of the death of a person having a monetary claim under subsection (1) on or before the date determined under section 43.1(6), unless the person's legal representative sends in the claim within one year after the death of the person, the right to recover the claim is barred.

(3) In the case of the death of the chief financial officer of the candidate, nomination contestant or leadership contestant, or the incapacity to act of the chief financial officer of the candidate, nomination contestant or leadership contestant, claims may be delivered to the candidate, nomination contestant or leadership contestant or to the candidate's official agent, as defined in the *Elections Act*, if no other chief financial officer has been appointed.

(4) No claim may be paid without the authority of the candidate, nomination contestant or leadership contestant or the chief financial officer of the candidate, nomination contestant or leadership contestant.

**(35) Section 40 is amended**

(a) **in subsections (1) and (4) by striking out** "registered nomination contestant" **and substituting** "nomination contestant";

(b) **by repealing subsections (5) to (7).**

*(3) In the case of the death of the chief financial officer or the chief financial officer's incapacity to act, if no other chief financial officer has been appointed, claims may be delivered to the candidate or the candidate's official agent as defined in the Election Act.*

*(4) No claim may be paid without the authority of the candidate or the chief financial officer.*

(35) Section 40 presently reads in part:

*40(1) A registered party, registered constituency association, registered candidate, registered nomination contestant or registered leadership contestant*

*(4) This section does not apply to the borrowing of money by a registered candidate, registered nomination contestant or registered leadership contestant for purposes unrelated to the candidate's, nomination contestant's or leadership contestant's campaign.*

*(5) Any loan made under this section that is in effect on the coming into force of this section and that is secured by a guarantee or by the provision of collateral security under section 41*

*(a) by an Alberta trade union or an Alberta employee organization or by a corporation that is not a prohibited corporation, or*

*(b) that exceeds the limit prescribed by section 17,*

**(36) Section 41 is amended**

- (a) in subsection (1) by striking out “registered nomination contestant” and substituting “nomination contestant”;**
- (b) in subsection (3)**
  - (i) by striking out “Subject to subsection (6), a” and substituting “A”;**
  - (ii) by striking out “registered nomination contestant” and substituting “nomination contestant”;**
- (c) in subsection (6) by striking out “A registered candidate” and substituting “Notwithstanding subsections (3) to (5), a registered candidate”;**
- (d) in subsections (7) to (9) by striking out “registered nomination contestant” and substituting “nomination contestant”.**

*must be repaid or renegotiated in accordance with the timeline and terms developed under subsection (6) or (7), and no further advances on the loan shall be made on or after the coming into force of this section.*

*(6) The Chief Electoral Officer shall consult with the borrowers and the guarantors or providers of the collateral security in order to develop a reasonable timeline and terms for the repayment or renegotiation of the loan.*

*(7) Where the Chief Electoral Officer is of the opinion that an arrangement cannot be concluded in order to provide for the repayment or renegotiation of the loan, the borrower and the guarantor or the provider of a collateral security shall comply with any direction of the Chief Electoral Officer.*

(36) Section 41 presently reads:

*41(1) Only a person ordinarily resident in Alberta may sign, co-sign or otherwise guarantee or provide collateral security for any loan, monetary obligation or indebtedness on behalf of or in the interest of any registered party, registered constituency association, registered candidate, registered nomination contestant or registered leadership contestant.*

*(3) Subject to subsection (6), a guarantee or the providing of collateral security referred to in subsection (1) to a registered party, registered constituency association, registered candidate, registered nomination contestant or registered leadership contestant shall not exceed the limit prescribed by section 17.*

*(6) A registered candidate may sign or otherwise guarantee or provide collateral security for any loan, monetary obligation or indebtedness on behalf of or in the interest of the registered party for which the registered candidate is the official candidate for amounts that in the aggregate do not exceed \$25 000 as adjusted in accordance with section 41.5, and a guarantee or collateral security provided under this subsection or a payment made by the registered candidate when acting on the guarantee or collateral security is not a contribution.*

*(7) Any payment made by a person other than a guarantor or borrower on behalf of or in the interest of a registered party, registered constituency association, registered candidate, registered*

**(37) Section 41.2(1) is repealed and the following is substituted:**

**Election expense limits — registered parties**

**41.2(1)** No registered party and no chief financial officer of a registered party shall incur election expenses in respect of a general election under the *Election Act* that exceed in the aggregate the amount determined by the following formula:

$A \times B$

where

A is \$1.16, as adjusted in accordance with section 41.5;

B is the total number of electors contained in the register of electors maintained under section 13 of the *Election Act* on the first day of the month in which the date 3 months before election day falls.

*nomination contestant or registered leadership contestant becomes, for the purposes of this Act, including, without limitation, sections 16, 17 and 35,*

*(a) a contribution by that person, and*

*(b) a contribution accepted by the borrower,*

*if the person is not reimbursed by the borrower before the borrower is next required to file the applicable financial statement or return.*

*(8) A guarantee made or the providing of collateral security under subsection (1) in a year must be recorded by the registered party, registered constituency association, registered candidate, registered nomination contestant or registered leadership contestant, as the case may be, and the details of the guarantee or of the providing of the collateral security must be included in a financial statement under section 42 or a campaign return under sections 43 to 43.02, as applicable.*

*(9) This section does not apply to payments made on behalf of or in the interest of a registered candidate, registered nomination contestant or registered leadership contestant for purposes unrelated to the candidate's, nomination contestant's or leadership contestant's campaign.*

(37) Section 41.2(1) presently reads:

*41.2(1) No registered party and no chief financial officer of a registered party shall incur election expenses in respect of a general election under the Election Act that exceed in the aggregate \$2 000 000 as adjusted under section 41.5.*

**(38) Section 41.4 is amended**

**(a) in subsection (1)**

**(i) by striking out “registered nomination contestant” wherever it occurs and substituting “nomination contestant”;**

**(ii) by striking out “20%” and substituting “25%”;**

**(b) in subsection (2)**

**(i) in clause (b) by striking out “registered nomination contestant’s” and substituting “nomination contestant’s”;**

**(ii) in clauses (c), (d) and (e) by striking out “registered nomination contestant” and substituting “nomination contestant”;**

**(c) in subsection (3) by striking out “registered nomination contestant” wherever it occurs and substituting “nomination contestant”.**

**(39) Section 41.41 is amended**

**(a) in subsection (1)**

**(i) in the portion preceding clause (a) by striking out “registered nomination contestants” and substituting “nomination contestants”;**

**(ii) in clause (b) by striking out “registered nomination contestant” and substituting “nomination contestant”;**

**(iii) in clause (c) by striking out “registered nomination contestants” and substituting “nomination contestants”;**

**(iv) in clause (d) by striking out “registered nomination contestant” and substituting “nomination contestant”;**



(38) Section 41.4 presently reads in part:

*41.4(1) No registered nomination contestant and no chief financial officer of a registered nomination contestant shall incur election expenses in respect of the nomination contest that exceed in the aggregate 20% of a registered candidate's spending limit for an election in that electoral division.*

*(2) The following expenses are not election expenses for the purposes of subsection (1):*

- (b) a registered nomination contestant's child care expenses;*
- (c) expenses relating to the provision of care for a person with a physical or mental incapacity for whom the registered nomination contestant normally provides such care;*
- (d) in the case of a registered nomination contestant who has a disability, additional expenses that are related to the disability;*
- (e) audit and professional fees necessary for compliance with this Act by the registered nomination contestant;*

*(3) The chief financial officer of the registered nomination contestant shall prepare an expense limit report for the purpose of a return required to be filed under section 43.01 relating to the election expenses incurred by the registered nomination contestant in relation to the nomination contest.*

(39) Section 41.41 presently reads in part:

*41.41(1) A third party shall not incur expenses to engage in any of the following activities that support the work of registered parties, registered candidates, registered nomination contestants or registered leadership contestants:*

- (a) selling memberships for a registered party;*
- (b) fundraising for a registered party, registered candidate, registered leadership contestant or registered nomination contestant;*
- (c) collecting or compiling information about electors or potential electors, including data and lists, where that*

**(b) by repealing subsection (2)(c) and substituting the following:**

- (c) a contribution by a third party that is not prohibited from making a contribution under section 16, or**

**(40) Section 41.42(1) and (2) are amended by striking out “registered nomination contestant” and substituting “nomination contestant”.**

**(41) Section 41.5 is amended**

**(a) in subsection (2)**

**(i) by striking out “polling day” and substituting “election day”;**

**(ii) by striking out “44.11, 44.942 and 44.94994” and substituting “44.11, 44.201(1), (2) and (3), 44.943(2), 44.94994(1) and 44.94995(2)”;**

**(b) in subsection (3) by striking out “44.11, 44.942 and 44.94994” and substituting “44.11, 44.201(1), (2) and (3), 44.943(2), 44.94994(1) and 44.94995(2)”;**

**(c) in subsection (4) by striking out “rounded to the nearest dollar” and substituting “rounded up to the nearest hundred dollars”.**

*information is shared with registered parties, registered candidates, registered leadership contestants or registered nomination contestants;*

- (d) any other activity that would otherwise be part of the administrative activity of a registered party, registered candidate, registered nomination contestant or registered leadership contestant.*

*(2) Subsection (1) does not apply to*

- (c) a contribution by a third party who is eligible to make a contribution under section 16(1), or*

(40) Section 41.42(1) and (2) presently read:

*41.42(1) A registered party, registered candidate, registered nomination contestant or registered leadership contestant shall not circumvent, or attempt to circumvent, an expense limit set out in this Part or a contribution limit under Part 3 by colluding with a third party.*

*(2) A third party shall not collude with a registered party, registered candidate, registered nomination contestant or registered leadership contestant to circumvent, or attempt to circumvent, an expense limit set out in this Part or a contribution limit under Part 3.*

(41) Section 41.5 presently reads in part:

*(2) Effective January 1 after polling day of the first general election following the coming into force of this section, the Chief Electoral Officer shall adjust each of the amounts referred to in sections 17, 18, 41(6), 41.2, 41.3, 44.11, 44.942 and 44.94994 by the percentage increase, if any, to the consumer price index for the period beginning January 1, 2017 and ending on December 31 of the year in which the general election was held.*

*(3) After each subsequent general election, the Chief Electoral Officer shall further adjust each of the amounts referred to in sections 17, 18, 41(6), 41.2, 41.3, 44.11, 44.942 and 44.94994 by the percentage increase, if any, to the consumer price index for the period beginning on the effective date of the prior adjustment and ending on December 31st of the year the general election was held.*

*(4) Amounts adjusted under this section shall be rounded to the nearest dollar.*

**(42) Section 42(1.1) is amended by striking out “\$1000” and substituting “\$25 000”.**

**(43) Section 43 is amended**

- (a) in subsections (1) and (2) by striking out “polling day” and substituting “election day”;**
- (b) in subsection (7) by striking out “\$1000” and substituting “\$25 000”;**
- (c) in subsections (8) to (10) by striking out “polling day” wherever it occurs and substituting “election day”.**

(42) Section 42(1.1) presently reads:

*(1.1) Unless otherwise directed by the Chief Electoral Officer, a registered party is not required to file an audited financial statement in respect of the registered party if the revenue and expenses of the registered party do not each exceed \$1000.*

(43) Section 43 presently reads in part:

*43(1) Subject to subsection (8), within 6 months after polling day the chief financial officer of a registered party shall file with the Chief Electoral Officer a campaign return with respect to the campaign period, which must include*

*(2) Subject to subsection (9), within 4 months after polling day the chief financial officer of a registered candidate shall file with the Chief Electoral Officer a campaign return, which must include*

*(7) Unless otherwise directed by the Chief Electoral Officer, an audited financial statement is not required to accompany a financial statement filed under subsection (1) if the revenue and campaign expenses of the registered party do not each exceed \$1000, but a non-audited financial statement must be filed, including a nil return where applicable.*

*(8) If the polling day for a general election occurs within 6 months after the polling day for the previous general election, the time for compliance with subsection (1) in respect of the previous general election is extended to the expiration of the 6-month period after the 2nd general election.*

*(9) If a by-election is held for an electoral division and the polling day for that by-election occurs within 4 months after the polling day for the previous election in the same electoral division, the time for compliance with subsection (2) in respect of the previous election is extended to the expiration of the 4-month period after the by-election.*

*(10) If an election is held under the Alberta Senate Election Act and the polling day for that election occurs within 4 months after the polling day for the previous election under the Alberta Senate Election Act, the time for compliance with subsection (2) in respect of the previous election is extended to the expiration of the 4-month period after the 2nd election.*

**(44) Section 43.01 is amended**

**(a) in subsection (1)**

- (i) by striking out** “after the conclusion of a nomination contest” **and substituting** “after the date fixed for the selection of a person for endorsement as the official candidate of the registered party for an electoral division”;
  - (ii) by striking out** “registered nomination contestant” **wherever it occurs and substituting** “nomination contestant”;
- (b) in subsection (2) by striking out** “registered nomination contestant” **and substituting** “nomination contestant”.

**(45) Section 43.1 is amended**

- (a) in subsections (1)(a), (2) and (3) by striking out** “registered nomination contestant” **wherever it occurs and substituting** “nomination contestant”;
- (b) in subsection (4)**
- (i) by striking out** “registered nomination contestant” **and substituting** “nomination contestant”;
  - (ii) by striking out** “registered nomination contestant’s” **and substituting** “nomination contestant’s”;
- (c) in subsection (5)**
- (i) in clause (a)**
    - (A) by striking out** “registered nomination contestant’s” **and substituting** “nomination contestant’s”;
    - (B) by striking out** “section 17(4)” **and substituting** “section 17(3) and (5)”;

(44) Section 43.01 presently reads in part:

*43.01(1) Within 4 months after the conclusion of a nomination contest, the chief financial officer of a registered nomination contestant shall file with the Chief Electoral Officer a nomination contestant campaign return, which must include*

- (a) a financial statement,*
- (b) the contribution report referred to in section 32(4.2),*
- (c) a campaign expense report setting out the campaign expenses incurred by the registered nomination contestant,*
- (d) an expense limit report referred to in section 41.4(3), and*
- (e) any supporting information and documents relating to the nomination campaign return.*

*(2) This section also applies to any registered nomination contestant who withdraws from the nomination contest.*

(45) Section 43.1 presently reads in part:

*43.1(1) In this section, “revenue” means the total of*

- (a) contributions received by a registered candidate, registered nomination contestant or registered leadership contestant made in accordance with this Act,*

*(2) For the purpose of this section, a registered candidate, registered nomination contestant or registered leadership contestant has a campaign deficit if, at the end of the campaign period,*

- (a) any liabilities relating to the campaign remain outstanding,*  
*or*
- (b) campaign expenses exceed revenue.*

*(3) Where a registered candidate, registered nomination contestant or registered leadership contestant has a campaign deficit, the registered candidate, registered nomination contestant or registered leadership contestant shall eliminate the deficit within 3 months after the date that the campaign return is next required to be filed or such further period approved under subsection (4).*

- (ii) **in clause (b) by adding** “during the period referred to in subsection (3) or (4), as applicable” **after** “any outstanding liabilities”;
- (d) **in subsection (6) by striking out** “registered nomination contestant” **and substituting** “nomination contestant”.

**(46) Section 43.2(2), (4) and (5)(c) are amended by striking out** “registered nomination contestant” **wherever it occurs and substituting** “nomination contestant”.



*(4) The Chief Electoral Officer may, on the request of a registered candidate, registered nomination contestant or registered leadership contestant or the registered candidate's, registered nomination contestant's or registered leadership contestant's chief financial officer received before the expiry of the 3-month period referred to in subsection (3), extend the 3-month period referred to in subsection (3) for a further period not exceeding 3 months.*

*(5) For the purpose of eliminating a campaign deficit,*

- (a) a registered candidate's, registered nomination contestant's or registered leadership contestant's chief financial officer may, notwithstanding section 17(4), accept contributions in accordance with this Act during the period referred to in subsection (3) or (4), as applicable, and*
- (b) a registered party or registered constituency association of the registered candidate may transfer funds to the candidate or may pay any outstanding liabilities.*

*(6) The chief financial officer of the registered candidate, registered nomination contestant or registered leadership contestant shall, within one month after the expiration of the period referred to in subsection (3) or (4), as applicable, file an amended campaign return showing any contributions accepted and any transfers received to eliminate the deficit.*

**(46) Section 43.2 presently reads in part:**

*(2) A registered party, registered constituency association, registered candidate, registered nomination contestant or registered leadership contestant that is required to file a financial statement under section 42 or a return under section 43, 43.01, 43.02 or 43.1, and fails to file that document by the filing deadline must pay a late filing fee of \$500 to the Chief Electoral Officer.*

*(4) The Chief Electoral Officer shall not transmit a report in relation to a registered candidate, registered nomination contestant or registered leadership contestant under section 44(1) if the return is filed no later than 10 days after the filing deadline.*

*(5) The following persons are jointly and severally liable for payment of the fee referred to in subsection (2) or (2.1):*

- (c) in the case of a registered candidate, registered nomination contestant or registered leadership contestant, the registered*

**(47) Section 44 is amended**

- (a) in subsection (1) by striking out “registered nomination contestant” and substituting “nomination contestant”;**
- (b) by repealing subsection (2) and substituting the following:**
  - (2)** After the Chief Electoral Officer transmits the report under subsection (1), the Chief Electoral Officer may publish the name of the chief financial officer of the registered candidate, nomination contestant or registered leadership contestant who failed to file the return and the name of the registered candidate, nomination contestant or registered leadership contestant on the Chief Electoral Officer’s website.
- (c) in subsections (3) and (4)(a) by striking out “registered nomination contestant” and substituting “nomination contestant”.**

**(48) Section 44.1 is amended**

- (a) in subsection (1)**
  - (i) in clause (d.1)**
    - (A) by repealing subclause (i) and substituting the following:**

*candidate, registered nomination contestant or registered leadership contestant and the chief financial officer of the registered candidate, registered nomination contestant or registered leadership contestant.*

(47) Section 44 presently reads in part:

*44(1) Subject to section 43.2(4), if the chief financial officer of a registered candidate, registered nomination contestant or registered leadership contestant fails to file a return as required by section 43, 43.01 or 43.02 or a revised return under section 43.1, as the case may be, the Chief Electoral Officer shall transmit a report to that effect to the Speaker of the Assembly, who shall on its receipt lay the report before the Assembly if it is then sitting or, if it is not then sitting, within 15 days after the commencement of the next sitting.*

*(2) After the Chief Electoral Officer transmits the report under subsection (1), the Chief Electoral Officer may publish a copy of the report on the Chief Electoral Officer's website.*

*(3) If the Speaker lays a report before the Assembly under subsection (1), the registered candidate, registered nomination contestant or registered leadership contestant concerned or his or her chief financial officer, or both, may, within the 60-day period following the date on which the report was laid before the Assembly, apply to the Court of Queen's Bench for relief.*

*(4) On hearing the application, the Court may*

*(a) dispense with compliance with section 43, 43.01, 43.02 or 43.1, or any provision of the relevant section, if it considers that the non-compliance is due to circumstances beyond the control of the registered candidate, registered nomination contestant, registered leadership contestant or chief financial officer, and that it is not reasonably possible to comply with the section,*

(48) Section 44.1 presently reads in part:

*44.1(1) In this Part and in section 9.1,*

*(d.1) "election advertising period" means*

*(i) in the case of a general election held in accordance with section 38.1(2) of the Election Act, the period commencing*

- (i) in the case of a general election held in accordance with section 38.1(2) of the *Election Act*, the period commencing on January 1 in the year in which the general election is held and ending at the end of the election day,
- (B) in subclauses (ii) and (iii) by striking out “polling day” and substituting “election day”;**
- (ii) in clause (g) by striking out “a registered nomination contestant, a registered leadership contestant or the election of a registered candidate, including an advertising message that takes a position on an issue with which a registered party, the leader of a registered party, a member of the Legislative Assembly, a registered nomination contestant, a registered leadership contestant or a registered candidate is associated,” and substituting “a nomination contestant, a registered leadership contestant or the election of a registered candidate”;**
- (iii) in clause (i)(iv) by striking out “registered nomination contestant” and substituting “nomination contestant”;**
- (b) in subsections (1.3) and (1.4) by striking out “registered nomination contestant” wherever it occurs and substituting “nomination contestant”.**

*December 1 in the year immediately preceding the year in which a general election is held and ending at the end of the polling day,*

- (ii) in the case of a general election held other than in accordance with section 38.1(2) of the Election Act, the period commencing with the issue of a writ for the election and ending at the end of the polling day, or*
- (iii) in the case of a by-election, the period commencing with the issue of a writ for the by-election and ending at the end of the polling day;*
- (g) “political advertising” means, subject to subsection (1.3), the transmission to the public by any means, at any time other than during an election advertising period, of an advertising message that promotes or opposes a registered party, the leader of a registered party, a member of the Legislative Assembly, a registered nomination contestant, a registered leadership contestant or the election of a registered candidate, including an advertising message that takes a position on an issue with which a registered party, the leader of a registered party, a member of the Legislative Assembly, a registered nomination contestant, a registered leadership contestant or a registered candidate is associated, and for greater certainty does not include*
  - (iv) the transmission by a person, corporation or group, on a non-commercial basis on the Internet, of the political views of that person, corporation or group,*
  - (i) “third party” means a person, corporation or group, but does not include the following:*
    - (iv) a registered nomination contestant;*

*(1.3) For the purposes of subsection (1)(g), “political advertising” includes*

- (a) canvassing for the benefit of a registered party, the leader of a registered party, a member of the Legislative Assembly, a registered nomination contestant, a registered leadership contestant or a registered candidate, and*
- (b) organizing events where a significant purpose of the event is to promote or oppose a registered party, the leader of a*

**(49) Section 44.11 is amended**

**(a) in subsection (1)**

**(i) in clause (a)**

**(A) by repealing subclause (i) and substituting the following:**

- (i) in an amount of more than \$150 000 in the aggregate, as adjusted in accordance with section 41.5 in relation to the period commencing on

*registered party, a member of the Legislative Assembly, a registered nomination contestant, a registered leadership contestant or a registered candidate.*

*(1.4) In determining a significant purpose of an event under subsection (1.3)(b), the following factors, in addition to any other relevant information, shall be used:*

- (a) whether it is reasonable to conclude that the event was specifically planned to coincide with an election;*
- (b) whether the formatting or branding of promotional materials for the event is similar to the formatting, branding or election material used by a registered party, the leader of a registered party, a member of the Legislative Assembly, a registered nomination contestant, a registered leadership contestant or a registered candidate;*
- (c) the extent to which an election or any registered party, the leader of a registered party, member of the Legislative Assembly, registered nomination contestant, registered leadership contestant or registered candidate is referred to, either directly or indirectly, in promotional materials for the event or at the event;*
- (d) whether the event is consistent with previous events held by that third party;*
- (e) whether messages conveyed at the event are political messages associated with a registered party, the leader of a registered party, a member of the Legislative Assembly, a registered nomination contestant, a registered leadership contestant or a registered candidate.*

**(49)** Section 44.11 presently reads in part:

*44.11(1) A registered third party shall not incur election advertising expenses,*

- (a) if the general election is held in accordance with section 38.1(2) of the Election Act,*
- (i) in an amount of more than \$150 000 in the aggregate, as adjusted in accordance with section 41.5 in relation to the period commencing on December 1 in the year*

January 1 in the year in which the general election is held and ending at the end of the day preceding the day the writ is issued, and

**(B) in subclause (ii) by striking out “polling day” and substituting “election day”;**

**(ii) in clause (b) by striking out “polling day” and substituting “election day”;**

**(b) in subsection (4) by adding “registered” before “third party”;**

**(c) in subsection (5.2) by striking out “registered nomination contestant” and substituting “nomination contestant”.**

**(50) Section 44.2 is repealed and the following is substituted:**

**Eligibility to make advertising contributions**

**44.2(1)** No election advertising contribution shall be made to a third party other than by a person ordinarily resident in Alberta.

**(2)** No political advertising contribution shall be made to a third party by any of the following:

- (a) a person who is not
  - (i) a Canadian citizen or permanent resident as defined in the *Immigration and Refugee Protection Act* (Canada), and
  - (ii) ordinarily resident in Canada;
- (b) a corporation, unincorporated association or organization that is incorporated, formed or otherwise organized outside Canada and



*immediately preceding the year in which a general election is held and ending at the end of the day preceding the day the writ is issued, and*

*(ii) in an amount of more than \$150 000 in the aggregate, as adjusted in accordance with section 41.5 in relation to the period commencing on the day the writ is issued and ending at the end of the polling day, and*

*(b) if the general election is held other than in accordance with section 38.1(2) of the Election Act, in an amount of more than \$150 000 in the aggregate, as adjusted in accordance with section 41.5 in relation to the period commencing on the day the writ is issued and ending at the end of the polling day.*

*(4) A third party shall not incur election advertising expenses in a total amount of more than \$3000, as adjusted in accordance with section 41.5, in relation to a by-election in a given electoral division.*

*(5.2) A registered party, registered candidate, registered nomination contestant or registered leadership contestant shall not collude with a third party to circumvent, or attempt to circumvent, an expense limit set out in this Part.*

(50) Section 44.2 presently reads:

*44.2(1) Subject to subsections (3) and (4), no advertising contribution shall be made by a person, corporation, trade union or employee organization to a third party or used to incur election advertising expenses or political advertising expenses unless*

*(a) the third party to whom the advertising contribution is made is registered under section 9.1, or*

*(b) the third party is not required to be registered under section 9.1.*

*(2) No third party required to be registered under section 9.1 and no person acting for a third party required to be registered under section 9.1 shall accept advertising contributions or incur advertising expenses unless the third party is registered under section 9.1.*

*(3) The following shall not make an election advertising contribution:*

- (i) that does not carry on business in Canada, or
- (ii) whose only business activity in Canada consists of doing anything to influence electors to vote or refrain from voting or to vote or refrain from voting for a specific registered candidate or registered political party;
- (c) a prohibited corporation;
- (d) a trade union that does not hold bargaining rights for employees in Canada;
- (e) an employee organization that does not hold bargaining rights for employees in Canada;
- (f) a registered charity;
- (g) a political party, constituency association or candidate;
- (h) a group of which any member is ineligible under clauses (a) to (g).

**Restrictions on advertising contributions and expenses**

**44.201(1)** The amount of election advertising contributions made to a third party in any year by a person who is eligible to make election advertising contributions and who makes only election advertising contributions in that year shall not exceed \$30 000, as adjusted in accordance with section 41.5, in the aggregate.

**(2)** The amount of political advertising contributions made to a third party in any year by a contributor that is eligible to make political advertising contributions and that makes only political advertising contributions in that year shall not exceed \$30 000, as adjusted in accordance with section 41.5, in the aggregate.

**(3)** The combined amount of election advertising contributions and political advertising contributions made to a third party in any year by a person who is eligible to make both election advertising contributions and political advertising contributions shall not exceed \$30 000, as adjusted in accordance with section 41.5, in the aggregate.

- (a) a person ordinarily resident outside Alberta;*
- (b) a prohibited corporation;*
- (c) a trade union or employee organization that is not an Alberta trade union or Alberta employee organization;*
- (d) a registered charity;*
- (e) a group of which any member of the group is ineligible under clause (a), (b) or (c).*

*(4) A third party shall not incur election advertising expenses in a total amount of \$1000 or more if the third party is not eligible to be registered under section 9.1.*

*(5) No third party shall, directly or indirectly, accept an election advertising contribution if the third party knows or ought to know that the contribution is made by a person, organization or group referred to in subsection (3).*

*(6) If the chief financial officer of a third party learns that an advertising contribution was accepted in contravention of this section, the chief financial officer shall, within 30 days after learning of the contravention, advise the Chief Electoral Officer in writing of the fact and circumstances and return the contribution in accordance with the directions of the Chief Electoral Officer.*

**(4)** No contributor shall make an election advertising contribution or political advertising contribution to a third party unless the third party

(a) is registered under section 9.1, or

(b) is not required to be registered under section 9.1.

**(5)** No third party required to be registered under section 9.1 and no person acting for a third party required to be registered under section 9.1 shall accept an election advertising contribution or political advertising contribution or incur an election advertising expense or political advertising expense unless the third party is registered under section 9.1.

**(6)** No third party shall incur election advertising expenses in a total amount of \$1000 or more if the third party is not eligible to be registered under section 9.1.

**(7)** No third party or person acting on behalf of a third party shall accept or use, directly or indirectly, an election advertising contribution or political advertising contribution if the third party knows or ought to know that

(a) the contribution was made in contravention of section 44.2, or

(b) the amount of the contribution would cause the contributor to exceed the limit prescribed by subsection (1), (2) or (3), as applicable.

**(8)** A prospective contributor must ensure, before making an election advertising contribution or political advertising contribution to a third party, that the contributor is not prohibited from making the contribution and is not making a contribution that is in excess of the limit prescribed by subsection (1), (2) or (3), as applicable.

**(9)** If the chief financial officer of a third party learns that an election advertising contribution or political advertising contribution was made or accepted in contravention of section 44.2 or this section, the chief financial officer shall advise the Chief Electoral Officer in writing of the fact and circumstances within 30 days after learning of the contravention and return the contribution in accordance with the directions of the Chief Electoral Officer.



**(51) Section 44.51(1) is repealed and the following is substituted:**

**Contributions not belonging to contributor**

**44.51(1)** No contributor that is eligible to make an election advertising contribution under section 44.2(1) or a political advertising contribution under section 44.2(2) shall contribute to a third party that is registered or required to be registered under section 9.1 funds not actually belonging to the contributor or funds that have been given or furnished to the contributor by any person or organization for the purpose of making an advertising contribution of the funds to the third party.

**(52) Sections 44.9(1) and (2) and 44.91(1) are amended by striking out “polling day” wherever it occurs and substituting “election day”.**

(51) Section 44.51(1) presently reads:

*44.51(1) No person, corporation, group, trade union or employee organization shall contribute to any third party that is registered or is required to be registered under section 9.1 funds not actually belonging to that person, corporation, group, trade union or employee organization, or any funds that have been given or furnished to the person, corporation, group, trade union or employee organization by any group or by a corporation, trade union or employee organization for the purpose of making an advertising contribution of those funds to the third party that is registered or is required to be registered under section 9.1.*

(52) Sections 44.9(1) and (2) and 44.91(1) presently read:

*44.9(1) Subject to subsection (2), within 6 months after polling day the chief financial officer of a third party who is registered under section 9.1(2)(a) shall file with the Chief Electoral Officer a third party election advertising return, which must include*

- (a) a financial statement,*
- (b) a list of all advertising contributions received during the election advertising period,*
- (c) an election advertising spending limit report referred to in section 44.11(7),*
- (d) the time and place of broadcast or publication of the advertisements to which the election advertising expenses relate, and*
- (e) any supporting information and documents relating to the election advertising return.*

*(2) If the polling day for a general election occurs within 6 months after the polling day for a previous general election, the time for compliance with subsection (1) in respect of the previous general election is extended to the expiration of the 4-month period after the 2nd general election.*

*44.91(1) The chief financial officer of a third party whose election advertising expenses are \$100 000 or more shall file an audited financial statement with the Chief Electoral Officer within 6 months after polling day.*

**(53) Section 44.941(1) is amended**

- (a) in clause (h)(i) by striking out “polling day” and substituting “election day”;**
- (b) in clause (i)(iv) by striking out “registered nomination contestant” and substituting “nomination contestant”.**

**(54) Section 44.943 is repealed and the following is substituted:**

**Restrictions on advertising contributions and expenses**

**44.943(1)** No Senate advertising contribution shall be made to a third party other than by a person ordinarily resident in Alberta.

**(2)** The amount of Senate election advertising contributions made to a third party in any year by a person who is eligible to make Senate election advertising contributions shall not exceed \$30 000, as adjusted in accordance with section 41.5, in the aggregate.

**(3)** No person shall make a Senate election advertising contribution to a third party unless the third party

- (a)** is registered under section 9.1, or
- (b)** is not required to be registered under section 9.1.

**(4)** No third party required to be registered under section 9.1 and no person acting on behalf of a third party required to be registered under section 9.1 shall accept a Senate election advertising contribution or incur a Senate election advertising expense unless the third party is registered under section 9.1.

**(5)** No third party shall incur Senate election advertising expenses in a total amount of \$1000 or more if the third party is not eligible to be registered under section 9.1.



(53) Section 44.941(1) presently reads in part:

*44.941(1) In this Part,*

- (h) “Senate election advertising period” means*
  - (i) in the case of an election under the Alberta Senate Election Act to be held in conjunction with a general election under the Election Act or a stand-alone order, the period commencing at the beginning of the campaign period for that election and ending on polling day, and*
  - (i) “third party” means a person, corporation or group, but does not include the following:*
    - (iv) a registered nomination contestant;*

(54) Section 44.943 presently reads:

*44.943(1) Subject to subsections (3) and (4), no Senate election advertising contribution shall be made by a person, corporation, trade union or employee organization to a third party or used to incur Senate election advertising expenses unless*

- (a) the third party to whom the advertising contribution is made is registered under section 9.1, or*
- (b) the third party is not required to be registered under section 9.1.*

*(2) No third party required to be registered under section 9.1 and no person acting for a third party required to be registered under that section shall accept Senate election advertising contributions or incur Senate election advertising expenses unless the third party is so registered.*

*(3) The following shall not make a Senate election advertising contribution:*

- (a) a person ordinarily resident outside Alberta;*
- (b) a prohibited corporation;*
- (c) a trade union or employee organization that is not an Alberta trade union or Alberta employee organization;*
- (d) a registered charity;*

**(6)** No third party or person acting on behalf of a third party shall accept or use, directly or indirectly, a Senate election advertising contribution if the third party knows or ought to know that

- (a) the contribution was made in contravention of subsection (1), or
- (b) the amount of the contribution would cause the contributor to exceed the limit prescribed by subsection (2).

**(7)** A prospective contributor must ensure, before making a Senate election advertising contribution to a third party, that the contributor is not prohibited from making the Senate election advertising contribution and is not making a Senate election advertising contribution that is in excess of the limit prescribed by subsection (2).

**(8)** If the chief financial officer of a third party learns that a Senate election advertising contribution was made or accepted in contravention of this section, the chief financial officer shall advise, within 30 days after learning of the contravention, the Chief Electoral Officer in writing of the fact and circumstances and return the contribution in accordance with the directions of the Chief Electoral Officer.

**(55) Section 44.946 is repealed.**

*(e) a group of which any member of the group is ineligible under clause (a), (b) or (c).*

*(4) A third party shall not incur Senate election advertising expenses in a total amount of \$1000 or more if the third party is not eligible to be registered under section 9.1.*

*(5) No third party shall, directly or indirectly, accept a Senate election advertising contribution if the third party knows or ought to know that the contribution is made by a person, organization or group referred to in subsection (3).*

*(6) If the chief financial officer of a third party learns that a Senate election advertising contribution was accepted in contravention of this section, the chief financial officer shall, within 30 days after learning of the contravention, advise the Chief Electoral Officer in writing of the fact and circumstances and return the contribution in accordance with the directions of the Chief Electoral Officer.*

(55) Section 44.946 presently reads:

*44.946 The following rules apply where a group wishes to make a Senate election advertising contribution to a third party or wishes to use funds collected to pay for Senate election advertising expenses:*

- (a) a Senate election advertising contribution from funds collected from a group's members may be attributed to its members only if*
  - (i) the amounts paid by its members were made on a voluntary basis,*
  - (ii) it was made explicit whether the amounts being collected were for Senate election advertising, and*
  - (iii) the names of the members who made the payments, and the amounts they each paid, are recorded by the group and, if applicable, provided to the third party;*

**(56) Section 44.9493(1) is repealed and the following is substituted:**

**Contributions not belonging to contributor**

**44.9493(1)** No person shall contribute to a third party that is registered or required to be registered under section 9.1 funds not actually belonging to the person or funds that have been given or furnished to the person by any person or organization for the purpose of making a Senate election advertising contribution of the funds to the third party.

**(1.1)** No person or organization shall give or furnish funds to a person for the purpose of having that person contribute the funds to a third party as a Senate election advertising contribution.

**(57) Section 44.9498 is amended**

**(a) in subsection (1)**

**(i) by striking out “polling day” and substituting “election day”;**

**(ii) by striking out “section 9.1(2)(a)” and substituting “section 9.1(2)(c)”;**

**(b) in subsection (2) by striking out “polling day” wherever it occurs and substituting “election day”.**

- (b) *a group other than a trade union or employee organization may make Senate election advertising contributions only from funds collected from its members in accordance with clause (a);*
- (c) *Senate election advertising contributions by a trade union or employee organization from funds collected from its members but not in accordance with clause (a) are deemed to be Senate election advertising contributions of the trade union or employee organization and cannot be attributed to its members;*
- (d) *amounts making up Senate election advertising contributions that are attributed to members under clause (a) are Senate election advertising contributions of those members for the purposes of this Part.*

(56) Section 44.9493(1) presently reads:

*44.9493(1) No person, corporation, group, trade union or employee organization shall contribute to any third party that is registered or is required to be registered under section 9.1 funds not actually belonging to that person, corporation, group, trade union or employee organization, or any funds that have been given or furnished to the person, corporation, group, trade union or employee organization by any group or by a corporation, trade union or employee organization for the purpose of making a Senate election advertising contribution of those funds to the third party that is registered or is required to be registered under section 9.1.*

(57) Section 44.9498 presently reads in part:

*44.9498(1) Subject to subsection (2), within 6 months after polling day in relation to an election under the Alberta Senate Election Act the chief financial officer of a third party who is registered under section 9.1(2)(a) shall file with the Chief Electoral Officer a third party Senate election advertising return, which must include*

- (a) *a financial statement,*
- (b) *a list of all Senate election advertising contributions received during the Senate election advertising period,*
- (c) *an Senate election advertising expense limit report referred to in section 44.942(6),*

**(58) Section 44.9499(1) is amended by striking out “polling day” and substituting “election day”.**

**(59) Section 44.94993(1) is amended**

- (a) in clause (g)(i) by striking out “polling day” and substituting “election day”;**
- (b) in clause (i)(iv) by striking out “registered”.**

**(60) Section 44.94995 is repealed and the following is substituted:**

**Restrictions on referendum advertising  
contributions and expenses**

**44.94995(1)** No referendum advertising contribution shall be made to a third party other than by a person ordinarily resident in Alberta.

- (d) *the time and place of broadcast or publication of the advertisements to which the Senate election advertising expenses relate, and*
- (e) *any supporting information and documents relating to the advertising return.*

*(2) If the polling day for an election under the Alberta Senate Election Act occurs within 6 months after the polling day for a previous election under that Act, the time for compliance with subsection (1) in respect of that previous election is extended to the expiration of the 4-month period after the 2nd election.*

(58) Section 44.9499(1) presently reads:

*44.9499(1) The chief financial officer of a third party whose Senate election advertising expenses are \$20 000 or more shall file an audited financial statement with the Chief Electoral Officer within 6 months after polling day.*

(59) Section 44.94993(1) presently reads in part:

*44.94993(1) In this Part,*

- (g) *“referendum advertising period” means*
  - (i) *in the case of a referendum under the Referendum Act ordered to be held in conjunction with a general election under the Election Act or as a stand-alone referendum on a date provided in the order, the period commencing when the order is issued and ending at the end of polling day, and*
  - (i) *“third party” means a person, corporation, group, the Government of Canada or the government of another province or territory of Canada, but does not include the following:*
    - (iv) *a registered nomination contestant;*

(60) Section 44.94995 presently reads:

*44.94995(1) Subject to subsections (3) and (4), no referendum advertising contribution shall be made by a person, corporation, trade union or employee organization to a third party or used to incur referendum advertising expenses unless*

(2) The amount of referendum advertising contributions made to a third party in any year by a person that is eligible to make referendum advertising contributions shall not exceed \$30 000, as adjusted in accordance with section 41.5, in the aggregate.

(3) No person shall make a referendum advertising contribution to a third party unless the third party

(a) is registered under section 9.1, or

(b) is not required to be registered under section 9.1.

(4) No third party required to be registered under section 9.1 and no person acting on behalf of a third party required to be registered under section 9.1 shall accept a referendum advertising contribution or incur a referendum advertising expense unless the third party is registered under section 9.1.

(5) No third party shall incur referendum advertising expenses in a total amount of \$1000 or more if the third party is not eligible to be registered under section 9.1.

(6) No third party or person acting on behalf of a third party shall accept or use, directly or indirectly, a referendum advertising contribution if the third party knows or ought to know that

(a) the contribution was made in contravention of subsection (1), or

(b) the amount of the contribution would cause the contributor to exceed the limit prescribed by subsection (2).

(7) A prospective contributor must ensure, before making a referendum advertising contribution to a third party, that the contributor is not prohibited from making the referendum advertising contribution and is not making a referendum advertising contribution that is in excess of the limit prescribed by subsection (2).

(8) If the chief financial officer of a third party learns that a referendum advertising contribution was made or accepted in contravention of this section, the chief financial officer shall advise, within 30 days after learning of the contravention, the Chief Electoral Officer in writing of the fact and circumstances and return the contribution in accordance with the directions of the Chief Electoral Officer.



- (a) *the third party to whom the referendum advertising contribution is made is registered under section 9.1, or*
  - (b) *the third party is not required to be registered under section 9.1.*
- (2) *No third party required to be registered under section 9.1 and no person acting for a third party required to be registered under that section shall accept referendum advertising contributions or incur referendum advertising expenses unless the third party is so registered.*
- (3) *The following shall not make a referendum advertising contribution:*
- (a) *a person ordinarily resident outside Alberta;*
  - (b) *a prohibited corporation;*
  - (c) *a trade union or employee organization that is not an Alberta trade union or Alberta employee organization;*
  - (d) *a registered charity;*
  - (e) *a group of which any member of the group is ineligible under clause (a), (b) or (c).*
- (4) *A third party shall not incur referendum advertising expenses in a total amount of \$1000 or more if the third party is not eligible to be registered under section 9.1.*
- (5) *No third party shall, directly or indirectly, accept a referendum advertising contribution if the third party knows or ought to know that the contribution is made by a person, organization or group referred to in subsection (3).*
- (6) *If the chief financial officer of a third party learns that a referendum advertising contribution was accepted in contravention of this section, the chief financial officer shall, within 30 days after learning of the contravention, advise the Chief Electoral Officer in writing of the fact and circumstances and return the contribution in accordance with the directions of the Chief Electoral Officer.*

**(61) Section 44.94998 is repealed.**

**(62) Section 44.949995(1) is repealed and the following is substituted:**

**Contributions not belonging to contributor**

**44.949995(1)** No person shall contribute to a third party that is registered or required to be registered under section 9.1 funds not actually belonging to the person or funds that have been given or

(61) Section 44.94998 presently reads:

*44.94998 The following rules apply where a group wishes to make a referendum advertising contribution to a third party or wishes to use funds collected to pay for referendum advertising expenses:*

- (a) a referendum advertising contribution from funds collected from a group's members may be attributed to its members only if*
  - (i) the amounts paid by its members were made on a voluntary basis,*
  - (ii) it was made explicit whether the amounts being collected were for referendum advertising, and*
  - (iii) the names of the members who made the payments, and the amounts they each paid, are recorded by the group and, if applicable, provided to the third party;*
- (b) a group other than a trade union or employee organization may make referendum advertising contributions only from funds collected from its members in accordance with clause (a);*
- (c) referendum advertising contributions by a trade union or employee organization from funds collected from its members but not in accordance with clause (a) are deemed to be referendum advertising contributions of the trade union or employee organization and cannot be attributed to its members;*
- (d) amounts making up referendum advertising contributions that are attributed to members under clause (a) are referendum advertising contributions of those members for the purposes of this Part.*

(62) Section 44.949995(1) presently reads:

*44.949995(1) No person, corporation, group, trade union or employee organization shall contribute to any third party that is registered or is required to be registered under section 9.1 funds not actually belonging to that person, corporation, group, trade union or employee organization, or any funds that have been given or furnished to the person, corporation, group, trade union or*

furnished to the person by any person or organization for the purpose of making a referendum advertising contribution of the funds to the third party.

**(1.1)** No person or organization shall give or furnish funds to a person for the purpose of having that person contribute the funds to a third party as a referendum advertising contribution.

**(63) Section 44.9499991(1) is amended**

- (a) by striking out “polling day” and substituting “election day”;**
- (b) by striking out “section 9.1(2)(a)” and substituting “section 9.1(2)(d)”.**

**(64) Section 44.9499992(1) is amended by striking out “polling day” and substituting “election day”.**

**(65) Section 44.95(a) is amended**

- (a) in subclause (iv) by striking out “registered nomination contestants” and substituting “nomination contestants”;**
- (b) by repealing subclause (v) and substituting the following:**

*employee organization by any group or by a corporation, trade union or employee organization for the purpose of making a referendum advertising contribution of those funds to the third party that is registered or is required to be registered under section 9.1.*

(63) Section 44.9499991(1) presently reads:

*44.9499991(1) Within 6 months after polling day in relation to a referendum under the Referendum Act, the chief financial officer of a third party who is registered under section 9.1(2)(a) shall file with the Chief Electoral Officer a third party referendum advertising return, which must include*

- (a) a financial statement,*
- (b) a list of all referendum advertising contributions received during the referendum advertising period,*
- (c) a referendum advertising expense limit report referred to in section 44.94994(6),*
- (d) the time and place of broadcast or publication of the referendum advertisements to which the referendum advertising expenses relate, and*
- (e) any supporting information and documents relating to the referendum advertising return.*

(64) Section 44.9499992(1) presently reads:

*44.9499992(1) The chief financial officer of a third party whose referendum advertising expenses are \$350 000 or more shall file an audited financial statement with the Chief Electoral Officer within 6 months after polling day.*

(65) Section 44.95(a) presently reads in part:

*44.95 The Election Commissioner, in addition to the Election Commissioner's powers and duties under the Election Act,*

- (a) may conduct periodic investigations of the financial affairs and records of*

- (v) registered third parties in relation to
  - (A) election advertising or political advertising under Part 6.1,
  - (B) Senate election advertising under Part 6.11,
  - (C) referendum advertising under Part 6.12,
  - (D) initiative advertising under the *Citizen Initiative Act*, and
  - (E) recall advertising under the *Recall Act*.

**(66) Section 44.96(4) is amended**

- (a) **by striking out** “registered nomination contestant” **wherever it occurs and substituting** “nomination contestant”;
- (b) **by adding** “or documents” **after** “provide any information”.

**(67) Section 44.97 is amended**

- (a) **by repealing subsection (2) and substituting the following:**
  - (2)** The Election Commissioner may refuse to conduct an investigation under section 44.95(a.1) or (b) if the Election Commissioner is of the opinion that
    - (a) the matter is frivolous or vexatious, or
    - (b) there are no grounds to warrant an investigation.
- (b) **in subsection (3) by striking out** “present his or her or its views” **and substituting** “make submissions and present evidence to the Election Commissioner”;

- (iv) *registered nomination contestants in relation to nomination contests, and*
- (v) *registered third parties in relation to election advertising or political advertising under Part 6.1, in relation to Senate election advertising under Part 6.11 and in relation to referendum advertising under Part 6.12,*

(66) Section 44.96(4) presently reads:

*(4) A registered party, registered constituency association, registered candidate, registered nomination contestant, registered leadership contestant or registered third party shall, within 30 days after receiving a written request from the Election Commissioner or within an extended period that the Election Commissioner may determine, provide any information with respect to the financial affairs of the registered party, registered constituency association, registered candidate, registered nomination contestant, registered leadership contestant or registered third party that is reasonably required by the Election Commissioner in the course of the Election Commissioner's duties under this Act.*

(67) Section 44.97 presently reads in part:

*(2) The Election Commissioner may refuse to conduct or may cease an investigation if the Election Commissioner is of the opinion that*

- (a) the matter is frivolous or vexatious, or*
- (b) there are no grounds or insufficient grounds to warrant an investigation or the continuation of an investigation.*

*(3) The Election Commissioner shall not make any adverse finding against a person or organization unless that person or organization has had reasonable notice of the substance of the allegations and a reasonable opportunity to present his or her or its views.*

*(4) If the Election Commissioner refuses to conduct or ceases an investigation under subsection (2), or determines that no offence was committed, the Election Commissioner*

**(c) by repealing subsection (4) and substituting the following:**

**(4)** When the Election Commissioner refuses to conduct an investigation under subsection (2), the Election Commissioner shall provide notice of that decision to every person or organization that requested the investigation, if any.

**(5)** When an investigation under subsection (1) or (1.1) is completed, the Election Commissioner

(a) shall provide notice of the Election Commissioner's decision to

(i) every person or entity that is the subject of the investigation, and

(ii) every person or organization that requested the investigation,

and

(b) may provide, as the Election Commissioner considers appropriate, notice of the decision to any other person or organization involved in a matter referred to in section 44.95(a.1) or (b).

**(6)** In this section, "person or entity" means a person, prohibited person or entity, corporation, prohibited corporation, trade union, employee organization, political party, constituency association or third party.

**(68) The following is added before section 45:**

**Definitions**

**44.98** In this Part,

(a) "contracting party" means a person or entity with whom the Election Commissioner enters into a compliance agreement under section 51.04;

(b) "person or entity" means a person, prohibited person or entity, corporation, prohibited corporation, trade union, employee organization, political party, constituency association or third party.



- (a) shall provide notice of that decision to*
  - (i) every person or organization who*
    - (A) is the subject of the investigation, or*
    - (B) would have been the subject of an investigation if the Election Commissioner had not refused to conduct an investigation,*
  - and*
  - (ii) every person or organization who requested an investigation, if any,*
  - and*
  - (b) may, as the Election Commissioner considers to be appropriate, provide notice of that decision to any other person or organization involved in the matter referred to in section 44.95(a.1) or (b).*

(68) Definitions.

**(69) Sections 48(4) and (5), 48.1(3), 48.11(1) and 48.2 are amended by striking out “registered nomination contestant” wherever it occurs and substituting “nomination contestant”.**

**(70) Section 51.01 is amended**

**(a) by repealing subsection (1);**

**(b) in subsection (2)**

**(i) by striking out “If” and substituting “After completing an investigation referred to in section 44.97, if”;**

**(ii) in clause (b) by striking out “prohibited”;**

**(iii) by repealing clause (c) and substituting the following:**

**(c) a person or entity has made an election advertising contribution in contravention of section 44.2(1), a**

(69) Sections 48(4) and (5), 48.1(3), 48.11(1) and 48.2 presently read:

*48(4) The chief financial officer of a registered nomination contestant who contravenes section 43.01 is guilty of an offence and liable to a fine of not more than \$1000.*

*(5) If the chief financial officer of a registered nomination contestant is guilty of having contravened section 43.01, the registered nomination contestant for whom the chief financial officer acts is also guilty of the offence and is liable to a fine of not more than \$1000.*

*48.1(3) A registered nomination contestant, or the chief financial officer of a registered nomination contestant, who contravenes section 41.4 is guilty of an offence and liable to a fine of not more than \$10 000.*

*48.11(1) A registered party, registered candidate, registered nomination contestant, registered leadership contestant or third party who contravenes section 41.42 is guilty of an offence and liable to a fine of not more than \$100 000.*

*48.2 A registered party, registered successor party, registered constituency association, registered candidate, registered nomination contestant, registered leadership contestant or registered third party who fails to comply with a direction of the Chief Electoral Officer or the Election Commissioner is guilty of an offence and liable to a fine of not more than \$1000.*

(70) Section 51.01 presently reads in part:

*51.01(1) In subsections (2) and (3) and section 51.03, "person or entity" means the person, corporation, trade union, employee organization, prohibited corporation, political party, constituency association or third party, as the case may be, on whom a notice of administrative penalty or letter of reprimand is served under this section.*

*(2) If the Election Commissioner is of the opinion that*

*(b) a prohibited person or entity has made a contribution in contravention of section 16,*

*(c) a prohibited corporation, a person ordinarily resident outside Alberta or a trade union or employee organization that is not an Alberta trade union or Alberta employee*

political advertising contribution in contravention of section 44.2(2), a Senate election advertising contribution in contravention of section 44.943(1) or a referendum advertising contribution in contravention of section 44.94995, or

**(iv) by repealing clause (d) and substituting the following:**

- (d) a person or entity has contravened a provision of this Act, otherwise than as referred to in clauses (a) to (c),

**(c) in subsection (5)(b) by striking out “44.2(3) or 44.943(3)” and substituting “44.2(1), 44.943(1) or 44.94995(1)”.**

**(71) Section 51.03 is repealed and the following is substituted:**

**Appeal of administrative penalty**

**51.03(1)** A person or entity who is served with a notice of administrative penalty under section 51.01 may appeal the Election Commissioner’s decision.

**(2)** An appeal may be commenced under this section within 30 days after the date the notice of administrative penalty was served by

- (a) filing an application with the Court of Queen’s Bench, and
- (b) serving a filed copy of the application on the Election Commissioner.

**(3)** The application must be filed with a copy of the notice of administrative penalty and state the reasons for the appeal.

*organization has made an election advertising contribution in contravention of section 44.2(3), or a Senate election advertising contribution in contravention of section 44.943(3), or*

- (d) a person, a prohibited person or entity, a political party, a constituency association or a third party has contravened a provision of this Act, otherwise than as referred to in clause (a), (b) or (c),*

*the Election Commissioner may serve on the person or entity either a notice of administrative penalty requiring the person or entity to pay to the Crown the amount set out in the notice, or a letter of reprimand.*

- (5) The amount of an administrative penalty that may be imposed under subsection (2) must not exceed*

- (b) in the case of a contravention of section 16, 44.2(3) or 44.943(3), twice the amount that was contributed in contravention of that provision, and in no case may the amount of the administrative penalty exceed \$10 000 for each contravention;*

(71) Section 51.03 presently reads:

*51.03(1) A person or entity who is served with a notice of administrative penalty under section 51.01 may appeal the Election Commissioner's decision by filing an application with the Court of Queen's Bench within 30 days from the date the notice was served.*

*(2) The application must be accompanied with a copy of the notice of administrative penalty and state the reasons for the appeal.*

*(3) A copy of the application must be served on the Election Commissioner not less than 30 days before the appeal is to be heard.*

*(4) The Court of Queen's Bench may, on application either before or after the time referred to in subsection (1), extend that time if it considers it appropriate to do so.*

*(5) On hearing the appeal, the Court of Queen's Bench may confirm, rescind or vary the amount of the administrative penalty.*

(4) The Court may, on application either before or after the time referred to in subsection (2), extend that time if the Court considers it appropriate to do so.

(5) On hearing the appeal, the Court may confirm, rescind or vary the amount of the administrative penalty, or remit the decision back to the Election Commissioner for reconsideration.

(6) The appeal must be based on the evidence considered by the Election Commissioner as part of an investigation under section 44.97, including any submissions made or evidence presented under section 44.97(3), the notice referred to in section 44.97(3) and the notice of administrative penalty served under section 51.01(2).

(7) For greater certainty, the Election Commissioner is not required to disclose any records or information that, if disclosed, would cause the Election Commissioner to contravene section 5.2(1) with respect to a person or organization other than the person or organization on whom the notice of administrative penalty was served.

(8) Section 51.02(1) does not apply with respect to an administrative penalty served as a result of the Election Commissioner's reconsideration of a decision that was remitted back to the Election Commissioner.

**(72) Section 51.04(1) and (2) are repealed and the following is substituted:**

**Compliance agreements**

**51.04(1)** If the Election Commissioner believes on reasonable grounds that a person or entity has committed, is about to commit or is likely to commit an act or omission that could constitute a contravention of this Act, the Election Commissioner may enter into a compliance agreement with the person or entity for the purpose of ensuring compliance with this Act.

**(73) Section 51.07 is amended by striking out "The Chief Electoral Officer may" and substituting "The Election Commissioner shall".**

(72) Section 51.04 presently reads in part:

*51.04(1) In this Part, “contracting party” means a person with whom the Election Commissioner enters into a compliance agreement under this Act.*

*(2) If the Election Commissioner believes on reasonable grounds that a person has committed, is about to commit or is likely to commit an act or omission that could constitute a contravention of this Act, the Election Commissioner may enter into a compliance agreement with that person for the purpose of ensuring compliance with this Act.*

(73) Section 51.07 presently reads:

*51.07 The Chief Electoral Officer may publish a notice on the Chief Electoral Officer’s website that sets out the contracting party’s name, the act or omission in question and a summary of the compliance agreement referred to in section 51.04.*

**(74) Section 53 is repealed and the following is substituted:**

**Consent to prosecute**

**53** No prosecutions shall be instituted under this Act without the consent of the Election Commissioner.

**(75) The following is added after section 54:**

**Part 8  
Transitional  
Provisions**

**Transitional — foundations**

**55(1)** In this section, “foundation” means a foundation referred to in section 6 as it read immediately before the coming into force of this section.

**(2)** No foundation established by a political party, other than a predecessor party, shall transfer the funds held by the foundation to the political party or any other political party or to the foundation of any other political party on or after the date on which this section comes into force.

**(3)** No foundation established by a predecessor party shall transfer the funds held by the foundation to the predecessor party, its successor party, any other political party or to the foundation of its successor party or any other political party on or after the date on which this section comes into force.

**(76) This section comes into force on Proclamation.**

**Legislative Assembly Act**

**Amends RSA 2000 cL-9**

**6(1)** The *Legislative Assembly Act* is amended by this section.

**(2)** The following provisions are amended by striking out “polling” and substituting “election”:



(74) Section 53 presently reads:

*53 No prosecution shall be instituted under this Act without the consent of*

*(a) the Election Commissioner before the coming into force of section 153.093(1) of the Election Act, or*

*(b) the Chief Electoral Officer after the coming into force of section 153.093(1) of the Election Act.*

(75) Part 8 Transitional Provisions.

(76) Coming into force.

### **Legislative Assembly Act**

**6(1)** Amends chapter L-9 of the Revised Statutes of Alberta 2000.

(2) Update terminology.

section 28(1);  
section 33(4)(a) and (b)(i);  
section 40(3)(a) and (b)(i);  
section 41(2)(a) and (c)(i).

**(3) This section comes into force on Proclamation.**

### **Local Authorities Election Act**

**Amends RSA 2000 cL-21**

**7(1) The *Local Authorities Election Act* is amended by this section.**

**(2) Section 53(3)(b)(ii) is amended by striking out “95(1)(a)(ii)” and substituting “100(2)(b)”.**

**(3) This section comes into force on Proclamation.**

### **Recall Act**

**Amends SA 2021 cR-5.7**

**8(1) The *Recall Act* is amended by this section.**

**(2) Section 2 is amended**

**(a) in subsection (5)(b)**

**(i) by striking out “date on which a 3-month period referred to in that section begins” and substituting “election day for a general election”;**

**(ii) in subclause (ii) by striking out “polling day” and substituting “election day”;**

**(b) in subsection (6)(b) by adding “the Election Commissioner,” after “Chief Electoral Officer,”.**

- (3) Coming into force.

### **Local Authorities Election Act**

**7(1)** Amends chapter L-21 of the Revised Statutes of Alberta 2000.

- (2) Section 53(3)(b) presently reads in part:

*(3) A person may validate the person's identity and the address of the person's residence for the purpose of subsection (1)(b)(ii)*

*(b) by producing one of the following:*

*(ii) one piece of identification authorized by the Chief Electoral Officer under the Election Act for the purposes of section 95(1)(a)(ii) of that Act that establishes the person's name and current address;*

- (3) Coming into force.

### **Recall Act**

**8(1)** Amends chapter R-5.7 of the Statutes of Alberta, 2021.

- (2) Section 2 presently reads in part:

*(5) An applicant may not submit an application*

*(a) within the 18-month period immediately following the day on which the election of the member who is named in the application was announced pursuant to section 138(2) of the Election Act,*

*(b) in the case of*

*(i) an election held in accordance with section 38.1(2) of the Election Act, within the 6-month period immediately*

**(3) Sections 3(2)(d) and 8(1) are amended by striking out “post-polling-day list” and substituting “post-election-day list”.**

**(4) Section 64(1) is amended by striking out “If” and substituting “After completing an investigation, if”.**

*preceding the date on which a 3-month period referred to in that section begins, or*

- (ii) an election other than an election held in accordance with section 38.1(2) of the Election Act, within the period commencing with the issue of the writs for a general election, or for a by-election in respect of a member who is named in an application, and ending at the end of polling day for that election or by-election,*

*(6) The following are disqualified from submitting an application:*

- (b) the Chief Electoral Officer, an election officer or an individual who is otherwise a member of the Chief Electoral Officer's office staff;*

*(3) Sections 3(2)(d) and 8(1) presently read:*

*(2) If the Chief Electoral Officer is satisfied that the requirements of section 2 have been met, the Chief Electoral Officer shall, within 7 days of the date of that determination,*

- (d) provide, in writing, to each authorized participant in respect of the recall petition the number of electors whose names appear on the most recent post-polling-day list of electors, referred to in section 19 of the Election Act, for the electoral division named in the recall petition*

*8(1) A recall vote is authorized if the Chief Electoral Officer verifies in accordance with this section that the recall petition has been signed by at least 40% of the total number of electors on the post-polling-day list of electors, referred to in section 19 of the Election Act, for the electoral division named in the recall petition.*

*(4) Section 64(1) presently reads:*

*64(1) If the Election Commissioner is of the opinion that a person has contravened a provision of this Act or a provision that is specified for the purposes of this section in the regulations, the Election Commissioner may, in accordance with the regulations, by notice in writing given to that person, require that person to pay an administrative penalty in the amount set out in the notice for each contravention.*

**(5) Section 68 is amended by striking out “Chief Electoral Officer” and substituting “Election Commissioner”.**

**(6) The following provisions are amended by striking out “polling day” and substituting “election day”:**

section 22(1)(g)(ii);  
section 39(1)(b);  
section 40(1)(b);  
section 41(2);  
section 47(3)(d).

(5) Section 68 presently reads:

*68 No prosecution shall be instituted under this Act without the consent of the Chief Electoral Officer.*

(6) Update terminology.

# RECORD OF DEBATE

Stage	Date	Member	From	To
		Interventions	From	To
Stage	Date	Member	From	To
		Interventions	From	To
Stage	Date	Member	From	To
		Interventions	From	To
Stage	Date	Member	From	To
		Interventions	From	To
Stage	Date	Member	From	To
		Interventions	From	To
Stage	Date	Member	From	To
		Interventions	From	To
Stage	Date	Member	From	To
		Interventions	From	To